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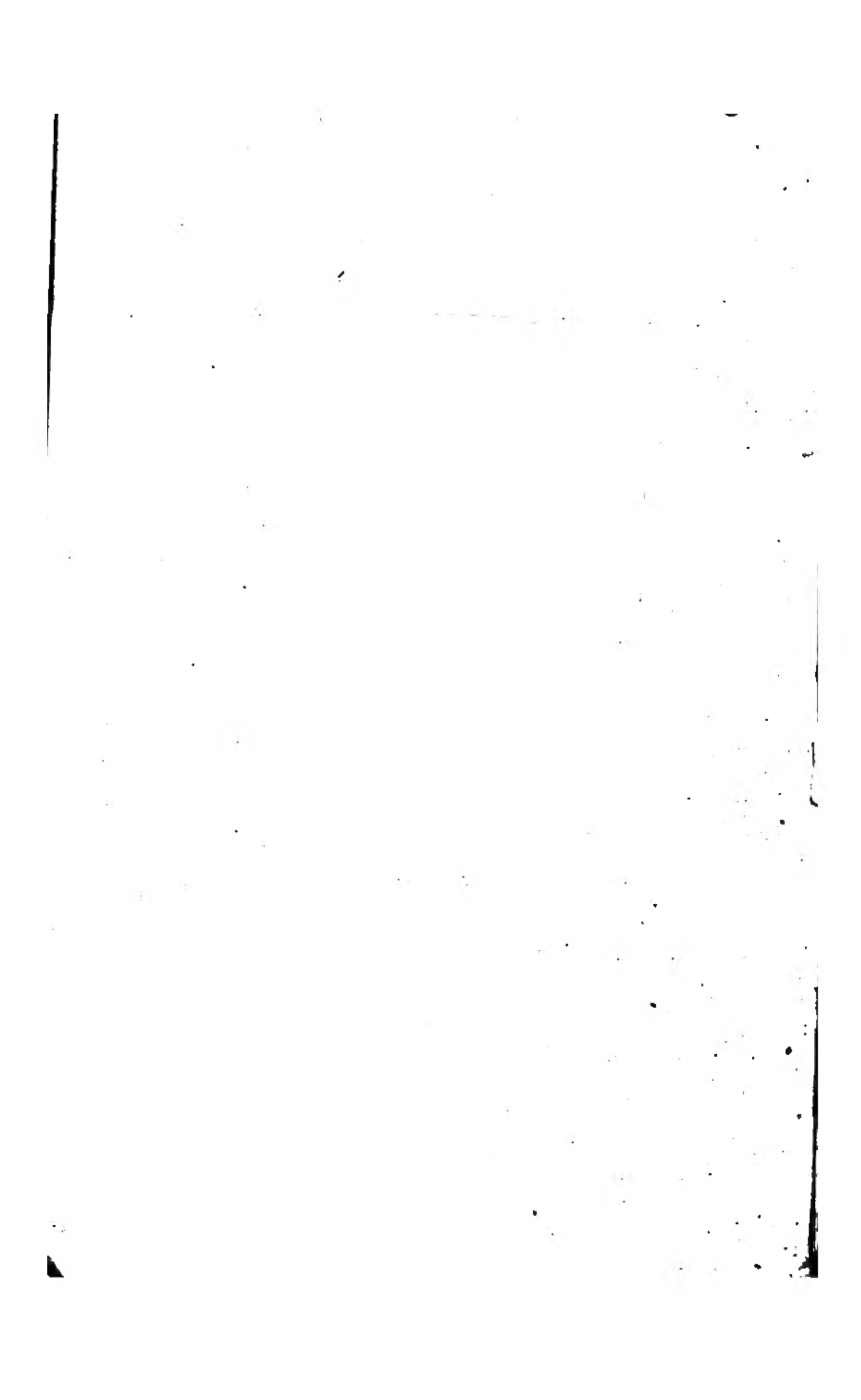
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JOURNAL OF THE SENATE

OF THE

Twenty-sixth General Assembly

OF THE

STATE OF IOWA,

WHICH CONVENED AT THE CAPITOL AT DES MOINES,
JANUARY 9, 1896.

DES MOINES:
F. R. CONAWAY, STATE PRINTER.
1896.

OFFICERS OF THE SENATE.

President,

MATT PARROTT, WATERLOO.

President pro tem,

A. B. FUNK, SPIRIT LAKE.

Secretary,

W. E. BULLARD, BELMOND.

<i>First Assistant Secretary,</i>	-	-	-	CHARLES H. TALMADGE, West Union.
<i>Second Assistant Secretary,</i>	-	-	-	S. H. SIBLEY, State Center.
<i>Engrossing Clerk,</i>	-	-	-	CARRIE G. SHERMAN, Vinton.
<i>Enrolling Clerk,</i>	-	-	-	CAPITOLA MARDIS, Osceola.
<i>Journal Clerk,</i>	-	-	-	L. E. HOLLOWELL, Atlantic.
<i>Journal Clerk,</i>	-	-	-	G. A. NICHOLS, Estherville.
<i>Sergeant-at-Arms,</i>	-	-	-	J. B. SATTERLEE, Manchester.
<i>File Clerk,</i>	-	-	-	J. L. THOMPSON, Decatur City.
<i>Bill Clerk,</i>	-	-	-	EVA LIVINGSTON, Washington.
<i>Postmistress,</i>	-	-	-	FANNIE BEEBE, Osage.
<i>Doorkeeper,</i>	-	-	-	W. H. MCFARLAND, Sioux City.

THE SENATE OF THE TWENTY-SIXTH GENERAL ASSEMBLY.

SENATE OF THE

District	COUNTY.	NAME.	ADDRESS.
1	John Downey ^a	Charleston.
2	Fairfield.
3	Bloomfield.
4	Lucas.
5	Mount Ayr.
6	Cornwall.
7	Sidney.
8	Red Oak.
9	Burlington.
10	Washington.
11	Indianola.
12	What Cheer.
13	Ottumwa.
14	Oskaloosa.
15	Marysville.
16	Fontanella.
17	Adel.
18	Atlantic.
19	Council Bluffs.
20	Columbus Junction.
21	Davenport.
22	Clinton.
23	Maquoketa.
24	Anamosa.
25	Iowa City.
26	Marion.
27	Fort Dodge.
28	Marshalltown.
29	Newton.
30	Des Moines.
31	Boone.
32	Sioux City.
33	Manchester.
34	Denison.
35	Dubuque.
36	Farmersburg.
37	Carlisle.
38	Grundy Center.
39	Allison.
40	Leaning.
41	Forest City.

John Everalle^a
 John E. Rowen^a
 E. M. Sargent^a
 G. M. O'Neil^a
 J. H. Trewing^a
 G. S. Gilbertson^a

42	Winneshiek and Howard	C. O. Upton*	Oresco.
43	Hancock, Cerro Gordo and Franklin	W. F. Harriman*	Hampton.
44	Floyd and Chickasaw	W. B. Perrin*	Nashua.
45	Benton and Tama	E. G. Penrose*	Tama.
46	Plymouth, Cherokee and Ida	A. O. Hobart	Cherokee.
47	Dickinson, Clay, Kosuth, Emmet and Palo Alto	A. B. Funk* ‡	Spirit Lake.
48	Ca'roll, Sac and Greene	Warren Garst*	Coon Rapids.
49	Lyon, Sioux, Osceola and O'Brien	Henry Hospers*	Orange City.
50	Buena Vista, Humboldt and Pocahontas	G. W. Henderson*	Rolfe.

Republicans, 43. Democrats, 7. Total, 50.

*Hold-overs; were senators in the Twenty-fifth General Assembly. (23)

†Elected to fill vacancy: Thirty-eighth district, J. M. Ras, deceased; Thirty-fifth district, I. W. Baldwin, deceased. (2)

‡Re-elected; were senators in the Twenty-fifth General Assembly. (3)

§Were members of the House in the Twenty-fifth General Assembly. (7)

SENATE BILLS.

INTRODUCTION AND ACTION.

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1—By Berry. Defining fraternal beneficiary societies, orders or associations, and regulating the same.	
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Passed House.....	690
Reported correctly enrolled.....	725
Signed by Governor.....	791
2—By Blanchard. Making an appropriation for the support of the Iowa weather and crop service.	
Introduced and referred.....	38
Reported.....	548
Indefinitely postponed.....	621
3—By Blanchard. To amend section 1726 of the Code of 1873 allowing board of directors to establish kindergarten schools.	
Introduced and referred.....	38
Reported.....	126
Passed.....	144
House rejects.....	385
4—By Funk. For the better protection of fish.	
Introduced and referred.....	38
Reported.....	64
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Passed House with amendments..	113
House amendments concurred in.	113
Reported correctly enrolled.....	121
Signed by Governor.....	271
5—By Mitchell. To amend chapter 13, title 12, of the Code, in relation to the State Library, and to provide for an extension of the use thereof.	
Introduced and referred.....	38
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Referred to Committee on Appropriations.....	224
Reported.....	625
Passed.....	687
Passed House.....	690
Reported correctly enrolled.....	766
Signed by Governor.....	926
6—By Penrose. Tendering to the United States jurisdiction over certain Indians residing in Iowa and over their lands and the privilege of purchasing lands in Tama county for Indian school.	
Introduced.....	38
Considered and passed.....	38
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Reported correctly enrolled.....	94
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S. F.	PAGE
7—By Phelps. To prohibit the manufacture and sale of cigarettes.	
Introduced and referred.....	39
Reported.....	96
Passed.....	115
House passes substitute.....	533
House substitute read first and second times.....	545
Passed.....	545
Recalled from House.....	568
Reported correctly enrolled.....	620
Signed by Governor.....	791
8—By Pusey. To allow the manufacture and sale and shipment at wholesale by the manufacturer of spirituous, malt and vinous liquors.	
Introduced and referred.....	39
Reported recommending substitute.....	462
Substitute adopted and bill lost..	742
9—By Rowen. To amend section 3861, of the Code, as amended by section 1, chapter 114, of the acts of the Twenty-first General Assembly, in relation to the offenses against the life and person.	
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Reported back recommending substitute by majority, and amendment to substitute by minority.....	120
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Passed.....	456
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Reported correctly enrolled.....	556
Signed by Governor.....	790
10—By Waterman. To require the board of supervisors in each county to make annual appropriation for the different expenditures, not in excess of the legally authorized revenue, and to avoid liabilities when there are no funds to meet them.	
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11—By Waterman. Authorizing township trustees to procure and control property for public use at the expense of their township	
Introduced and referred.....	39
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12—By Ellis. Providing for the better protection of logs and lumber lying or being on any of the waters of this state, or bordering on this state.	
Introduced and referred.....	39
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Passed.....	130
13—By Ellis. Providing a substitute for chapter 6, of title 9, of the Code of 1878, establishing and governing mutual building and loan associations.	
Introduced and referred.....	39
Reported recommending substitute.....	358
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14—By Carroll. To legalize the drawing of grand and petit jurors where failure to give notice exists.	
Introduced and referred.....	44
Reported.....	94
15—By Carroll. To revise, amend and otherwise simplify the election law.	
Introduced and referred.....	44
16—By Ellis. To provide for and regulate the administration of trusts by savings banks and trust companies.	
Introduced and referred....	44
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Passed.....	618
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17—By Ellis. To amend chapter 35 of the laws of the Twenty-second General Assembly of the state of Iowa, relating to aliens inheriting.	
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Reported with substitute.....	654
Passed.....	794
Returned from House.....	868
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Reported correctly enrolled.....	958
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18—By Everall. Changing the number of directors from six to five in certain independent school districts.	
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Reported.....	254
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19—By Harper. Authorizing cities of the first class to lay sidewalks in said cities.	
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Passed House.....	914
Reported correctly enrolled.....	942
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20—By Hospers. To repeal chapter 85 of the laws of the Twenty-second General Assembly of the state of Iowa.	
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21—By Perrin (by request). Requiring a purchaser of intoxicating liquors to be used as a beverage to procure a license and providing penalties for purchasing intoxicating liquors to be used as a beverage, without having first secured such license.	
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22—By Phelps. To authorize the transfer of county road funds to the county fund and county bridge fund.	
Introduced and referred.....	45
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Reported correctly enrolled.....	865
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23—By Ranck. To establish a state board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming.	
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24—By Bowen. Requiring that juvenile and adult prisoners be kept apart.	
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25—By Bowen. To amend section 12 of chapter 62 of the acts of the Twenty-fifth General Assembly.	
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26—By Bowen. To amend section 5479, chapter 15 of McClain's Code.	
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27—By Trewin. To pay the widow of Hon. L. O. Hatch, late district judge of the Thirteenth judicial district of Iowa, deceased, the salary of his unexpired term as such judge.	
Introduced and referred.....	46
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Reported correctly enrolled.....	941
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28—By Carpenter (by request). To amend section 4026, of the Code of Iowa, relating to testimony in prosecutions for gambling.	
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32—By Carroll. To legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.	
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34—By Craig (by request). To amend section 4, of chapter 47, of the acts of the Sixteenth General Assembly, and also section 5 of chapter 169, of the acts of the Seventeenth General Assembly of the State of Iowa, relating to taxation of agricultural and horticultural lands within incorporated cities and towns.	
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35—By Craig. To provide for suitably marking the lines and positions held by Iowa regiments during the battle of Shiloh, and for the erection of monuments, etc., in the Shiloh Battlefield National Park, commemorating their gallantry and the memory of those who fell.	
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36—By Ericson. Making appropriation for State Agricultural College.	
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37—By Harper. To amend section 2178 of the Code in relation to the sale of property by carriers and others for charges.	
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41—By Kilburn. To authorize mutual insurance associations to reinsure a part of their risks in other mutual companies.	
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42—By Waterman. To prevent garnishment proceedings against persons for wages, where same are exempt by laws of the state.	
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44—By Young. Granting consent to the purchase by the United States of certain lands and jurisdiction over the same.	
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45—By Code Revision Committee. To revise, amend and codify the laws in relation to procedure in courts of original jurisdiction.	
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49—By Code Revision Committee. To revise, amend and codify the laws in relation to corporations.	
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50—By Code Revision Committee. To revise, amend and codify the statute in relation to certain corporations.	
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51—By Code Revision Committee. To revise, amend and codify the laws in relation to insurance.	
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52—By Code Revision Committee. To revise, amend and codify the statutes in relation to education.	
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53—By Code Revision Committee. To revise, amend and codify the statutes in relation to banks and banking institutions.	
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54—By Code Revision Committee. To revise, amend and codify the laws in relation to building and loan associations.	
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55—By Code Revision Committee. To revise, amend and codify the laws in relation to railways.	
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60—By Code Revision Committee. To revise, amend and codify the laws in relation to the State University, the Agricultural College and the Normal school.	
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64—By Code Revision Committee. To revise, amend and codify the laws in relation to the state legislative departments.	
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65—By Blanchard. To prevent combinations between fire insurance companies, and providing penalties therefor.	
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66—By Druet. To prevent blindness and for the care of infants affected with disease of the eyes, and to provide a penalty for the violation thereof.	
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67—By Eaton. Regulating the taxing of costs in certain criminal cases.	
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68—By Gorrell. Relative to trimming orange orange, willow and all other hedge fences and for keeping the roads clear of brush and noxious weeds.	
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70—By Hurst. For the punishment of crimes for second and subsequent offenses, and what shall be deemed prime facie evidence of a former conviction.	
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71—By Palmer. Making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge.	
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72—By Bell. To amend section 906 of the Code as amended by chapter 62 of the Fifteenth General Assembly.	
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73—By Druet. To amend section 5894, chapter 33 of McClain's Code.	
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74—By Ellis (by request). To amend chapter 104 of the laws of the Twenty-first General Assembly.	
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75—By Ericson. To prevent the spread of contagious and infectious diseases among swine.	
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76—By Garst. To legalize the ordinances passed by the incorporated town of Glidden, Carroll county, Iowa.	
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Reported correctly enrolled.....	312
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77—By Hurst. To make February 22d a legal holiday in the state of Iowa and closing all schools on that day.	
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78—By Kilburn. To enable mutual insurance associations to co-operate in equalizing losses.	
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79—By Ranck (by request). To amend section 303 of the Code of Iowa.	
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80—By Code Revision Committee. To revise, amend and codify the statutes in relation to certain police regulations.	
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82—By Code Revision Committee. To revise, amend and codify the statutes in relation to the estates of decedents.	
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84—By Code Revision Committee. To revise, amend and codify the statutes in relation to certain police regulations.	
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85—By Code Revision Committee. To revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.	
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86—By Code Revision Committee. To revise, amend and codify the statutes in relation to attachments, garnishments, executions and supplementary proceedings.	
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87—By Code Revision Committee. To revise, amend and codify the statutes in relation to certain police regulation.	
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88—By Code Revision Committee. To revise, amend and codify the statutes in relation to certain police regulations of the state.	
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89—By Code Revision Committee. To revise, amend and codify the statutes in relation to the rights of property.	
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102—By Code Revision Committee. To revise, amend and codify the statutes in relation to trade and commerce.	
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103—By Code Revision Committee To revise, amend and codify the statutes in relation to certain police regulations of the state.	
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104—By Code Revision Committee. To revise, amend and codify the statutes in relation to certain police regulations.	
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105—By Gorrell. To provide for the systematic inspection by skilled and reliable veterinary practitioners of all dairy herds which furnish milk for immediate use as sweet milk.	
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106—By Healy. Regulating the forfeiture of contracts for sale of real estate.	
Introduced and referred.....	83
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107—By Hospers (by request). Providing for a uniform system of bookkeeping for county offices and the appointment of state examiners of county accounts.	
Introduced and referred.....	83
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Reported.....	298
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108—By Hurst. To amend section 3237 of the Code of 1873 in relation to the cancellation of real estate mortgages.	
Introduced and referred... ..	83
Reported.....	143
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109—By Lothrop Creating and establishing appellate courts and defining the powers and jurisdiction thereof.	
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110—By Rowen. To legalize the proceedings of the board of supervisors of Wright county in locating and constructing a drain through the incorporated town of Clarion in said county and in making apportionment of the cost, expenses, costs of construction, fees and compensation for property appropriated and damages sustained by the construction of the drain, and in assessing the same among the owners of the land benefited thereby, and in levying the same as a tax against the lands of the owners so benefited.	
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111—By Alexander (by request). Authorizing the acceptance of gifts to public institutions of the state, the execution by the executive council of the state of contracts relating to such gifts and the management and control of such property so received and held	
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112—By Carpenter. Legalizing the proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large.	
Introduced and referred.....	85
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113—By Oheshire. To amend sections 2 and 4, of chapter 41, of the acts of the Twenty-fifth General Assembly.	
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114—By Oheshire. To amend section 2, chapter 99, acts of Twenty-fifth General Assembly.	
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115—By Druet. To regulate the computation and compensation for mileage.	
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116—By Everall. To amend sections 969, 975, 981, 987 and 996, of the Code, relative to the meeting of township trustees for settlement with road supervisors.	
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117—By Hipwell. Relating to the assignment and release of judgments, mortgages and deeds of trust by administrators, executors, guardians appointed in other states and countries.	
Introduced and referred.....	86
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118—By Hobart. Making appropriation to purchase land for the site of the hospital for the insane at Cherokee.	
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119—By Hobart. Making appropriation to construct the hospital for insane at Cherokee.	
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Substitute for adopted and passed	819
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Reported correctly enrolled.....	863
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120—By Mitchell. To promote the establishment and efficiency of free public libraries and public school libraries, in the state of Iowa.	
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121—By Rowen. To amend section 428, chapter 2, McClain's Code, relating and relative to county printing.	
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122—By Carroll (by request). To repeal sections 906, 907, of the Code of 1873, relating to peddlers' license.	
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123—By Byers. To reimburse John L. Brown as auditor of state during the years of 1885 and 1886, for money expended in defense of his said office and of his official rights and duties.	
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124—By Carney. Making appropriation for the support of the Soldiers' Home at Marshalltown, Iowa, for the construction of certain buildings, making certain improvements and providing a contingent fund therefor.	
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125—By Carroll. For the relief of F. M. Heskett	
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126—By Eaton (by request). Repealing section 16, chapter 58, acts of the Twenty-first General Assembly, and enacting a substitute therefor.	
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127—By Ellis (by request). To require the United States flag to be placed upon all public school buildings in Iowa, or upon a flag pole erected within the school grounds surrounding such school building.	
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128—By Hobart. To amend section 4535 of the Code of Iowa.	
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129—By Hotchkiss. To legalize the incorporation of the town of Gray, Audubon county, Iowa, the election of its officers, and all official acts done, and ordinances passed by the council of said town, not in contravention with the laws of the state of Iowa.	
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130—By Hurst. For the relief of honorably discharged soldiers and sailors who served in the army or navy of the United States during the war of the rebellion of 1861.	
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131—By Kilburn. For a substitute for chapter 5, of title 8, of the proposed code.	
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132—By Palmer (by request). To authorize cities to acquire real estate within and without their territorial limits for the purpose of outlets for sewers and pay for the same out of the general fund of the city, or out of the sewer fund of the sewer district, of which the same is the outlet.	
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133—By Upton. To repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways and to enact a substitute therefor.	
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134—By Ellis. To appropriate money to procure for the adjutant-general's rooms in the capitol, a portrait of the late Adjutant-General Nathaniel B. Baker.	
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135—By Alexander. To amend section 2008, chapter 8, title 12, of the Code of Iowa, relating to homesteads.	
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136—By Bell. To fix and regulate the liability of insurers when loss or damage occurs to property insured.	
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137—By Carney. To provide for supervision of state institutions and for reports to the general Assembly thereon.	
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138—By Eaton. To amend sections 3150 and 3152 of the Code.	
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140—By Ericson. To prevent the spread of disease among swine.	
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141—By Hipwell. To protect the interests of parties for whose benefit security was given.	
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142—By Penrose. To define and punish the crime of desertion.	
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143—By Blanchard. To amend section 1923 and 1941 of the Code of 1873.	
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144—By Druet. To repeal section 5342 of McClain's Code and to provide a substitute therefor.	
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146—By Garst. To regulate primary elections of voluntary political parties or associations and to punish frauds therein.	
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147—By Gilbertson. To amend section 589 of the Code in reference to the election of clerks of the district court.	
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148—By Hipwell. To provide for the payment of the claim of Scott county against the state of Iowa for expenses incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa	
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149—By Hipwell. To authorize the manufacture, sale and transportation of spirituous, malt and vinous liquors.	
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150—By Hurst To authorize and regulate the sale of intoxicating liquors in counties, cities and incorporated towns upon the vote of the electors thereof.	
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151—By Lothrop (by request). To prohibit the assignment of claims for witness fees, and to prohibit the giving of orders therefor.	
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153—By Lothrop (by request). To amend section 3914 of chapter 3, title 23, of the Code of Iowa, as amended by the Sixteenth General Assembly, chapter 62, relating to witness fees.	
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155—By Trewin. To appropriate money to procure for the Governor's rooms in the capitol, portraits of ex-Governor John H. Gear, ex-Governor Buren R. Sherman, ex-Governor William Larrabee, ex-Governor Horace Boies and ex-Governor Frank D. Jackson.	
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156—By Young. Making an appropriation for the Hospital for the Insane at Independence.	
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157—By Carroll. To establish qualifications for county superintendents.	
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158—By Ellis (by request). To amend section 8798 of the Code as substituted by chapter 184, section 3, acts of the Eighteenth General Assembly, relating to the salary of county auditors.	
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159—By Pusey. To prescribe a standard form of fire insurance policy.	
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160—By Trewin To revise, amend and codify the laws in relation to the system of common schools, and to provide for a simple form of district organization, also defining powers and duties of board of directors.	
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161—By Trewin. To establish and maintain five normal schools for the instruction and training of teachers, and to provide for the location of such schools.	
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164—By Eaton. To define and regulate building and loan associations.	
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165—By Alexander. To fix amount of civil damages for making and selling adulterated foods and drinks.	
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166—By Bonson. To authorize the historical department of Iowa to purchase a certain unpublished manuscript known as a history of the Iowa troops in the war of the rebellion.	
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167—By Downey. To amend chapter 47 of the acts of the Eighteenth General Assembly.	
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170—By Ericson. Regarding fees for the incorporation and the increase in capital stock of companies and corporations in the state of Iowa.	
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171—By Healy. To repeal section 2580 of the Code and enact a substitute therefor relating to the venue and change thereof in actions aided by attachment.	
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172—By Hipwell. To make appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.	
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173—By Hospers. Abolishing grace, and days of grace on negotiable paper.	
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174—By Hurst. To amend section 1717 of the Code of 1873, as amended by chapter 51, laws of 1883.	
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175—By Ranck. For the permanent support and maintenance of the State University, and to provide for the erection of necessary buildings therefor.	
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176—By Ranck. Making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund for the development of the institution and for the erection of buildings.	
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177—By Rigger. Relative to the governing of plumbing and plumbers in all cities and towns having water supply and sewerage.	
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178—By Lothrop. To amend section 3, chapter 41, of the laws of the Twentieth-fifth General Assembly, relating to public libraries.	
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179—By Lothrop. To amend section 798 of McOlain's Code, and to provide for the duties of city marshal to be performed by other city officers.	
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Reported correctly enrolled.....	557
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184—By Hurst. To amend section 3, chapter 105, of the Twenty-second General Assembly, by fixing the compensation of the members of the Soldiers' Relief Commission.	
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185—By Harriman. To authorize the executive council to sell and convey a part of the lands purchased by the state for the use of the Iowa Agricultural society in Polk county, Iowa, under the provisions of chapter —, of the Nineteenth General Assembly, and to purchase other lands for the use of said society.	
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187—By Lothrop. To amend section 191 of the Code of 1873, paragraph 4 of section 3832 of McClain's Code; section 4973 of McClain's Code to repeal section 3271 of McClain's Code as amended by chapter 31 of the acts of the Eighteenth General Assembly, and to provide a substitute therefor, relating to legal holidays.	
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188—By Carney. To provide for the publication of the annual proceedings of the Iowa State Dairy Association.	
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190—By Ellison. Making appropriations for the penitentiary at Anamosa.	
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191—By Harriman. Providing a substitute for chapter 6 of title 9, of the Code of 1873, for establishing and governing mutual building and loan associations.	
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192—By Hipwell. To amend section 1, chapter 171, of the acts of the Twenty-first General Assembly.	
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193—By Junkin. Making appropriations for the Institution for Feeble-Minded Children at Glenwood, Iowa.	
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195—By Rowen. Entitled an act making appropriations for the Iowa Industrial school, boys' department, at Eldora, Iowa.	
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196—By Sargent. Making appropriations for the State Normal School at Cedar Falls, Iowa.	
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198—By Cheshire. To repeal sections 1 and 4 of chapter 82 of the acts of the Fourteenth General Assembly as amended by chapter 195 of the Twentieth General Assembly, in relation to the dissection of dead bodies, and enact a substitute therefor.	
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199—By Cheshire. Appropriating money to defray the expenses of the inaugural ceremonies.	
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200—By Carpenter. Amending chapter 151 of the acts of the Eighteenth General Assembly of the state of Iowa, relating to state board of health.	
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Reported substitute.....	298
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201—By Carpenter. Amending chapter 104 of the acts of the Twenty-first General Assembly by providing for appeal from the decisions of the state board of examiners.	
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203—By Ellis. Exempting from penalties the manufacture, sale and transportation of spirituous, malt and vinous liquors for lawful purposes.	
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204—By Ellison (by request). Authorizing incorporated towns and cities of the second class to issue and negotiate bonds to procure funds for the payment of outstanding warrants and negotiable instruments.	
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Reported substitute.....	287
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205—By Hotchkiss (by request). A bill for an act to prevent insolvent insurance companies from doing business and providing penalties therefor.	
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Reported.....	406
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206—By Palmer. Making appropriations for the Hospital for the Insane at Mount Pleasant, Iowa.	
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207—By Palmer. Regulating the soliciting and sale of nursery stock in the state of Iowa.	
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208—By Penrose. Making appropriations for the College for the Blind, at Vinton, Iowa.	
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209—By Perrin. To amend section 3072, of the Code.	
Introduced and referred.. .. .	163
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210—By Alexander. Relating to the making of claims and bringing suits against municipal corporations, including cities organized under special charters, for damages resulting from the unsafe condition of highways or bridges therein.	
Introduced and referred.....	160
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211—By Alexander. Repealing section 2, chapter 7, of the laws of the Twenty-fifth General Assembly, relating to paving, curbing and sewerage in cities under special charters, and all cities having a population of 5,000 or more, and enacting a substitute therefor.	
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Reported substitute.....	734
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Reported correctly enrolled....	864
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212—By Allyn. To amend section 2017 of the Code of Iowa in regard to notice of landlord's lien to existing creditors or subsequent purchasers.	
Introduced and referred	171
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Indefinitely postponed.....	503
213—By Ellis. To amend sections 2 and 3, of chapter 69, of the acts of the Twenty-fifth General Assembly to fix the regular term of the additional supreme judge provided for in said act, and to extend the term of the present incumbent	
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214—By Garst. To amend section 18, of chapter 62, of the acts of the Twenty-fifth General Assembly entitled "An act to tax the traffic in intoxicating liquors and to regulate and control the same."	
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215—By Harriman. To pay the widow of Capt. J. W. Luke, deceased, late railroad commissioner of Iowa, the salary for the unexpired term to which he was elected	
Introduced and referred.....	171
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216—By Hospers. To amend section 1922 of the Code for the protection of married women.	
Introduced and referred.....	171
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Introduced and referred.....	172
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220—By Junkin. For the relief of James F. Ward.	
Introduced and referred.....	173
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221—By Lothrop. To amend section 3608 of the Code of Iowa, relating to the payment of costs in criminal proceedings.	
Introduced and referred.....	173
Reported.....	684
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222—By Lothrop. To regulate the expenditure of the county road fund and county bridge fund.	
Introduced and referred.....	173
Reported.....	288
Recalled.....	409
Reported.....	464
Stricken from calendar.....	503
223—By Mitchell. To amend section 12, chapter 80, of the laws of the Twenty-fifth General Assembly relating to the rules governing trustees in the appointment of superintendent.	
Introduced and referred.....	173
Reported.....	904
224—By Penrose. To provide for the printing of the bulletins of the Iowa State Experiment Station.	
Introduced and referred.....	173
Reported.....	407
Re-referred.....	407
Reported.....	653
Indefinitely postponed.....	713
225—By Phelps (by request). To authorize the purchase and use of the Gillespie voting machine and matters relating thereto.	
Introduced and referred.....	173
Reported.....	474
Indefinitely postponed.....	503
226—By Rigger. To amend section 2360, McClain's Code, relating to the sale of liquors by pharmacists.	
Introduced and referred.....	173
Reported.....	350
House File No. 243 substituted for.....	677
227—By Committee on Penitentiaries and Pardons (substitute for Senate File No. 24). For an act requiring that juvenile prisoners be kept apart.	
Introduced and referred.....	173
Reported substitute for Senate File No. 24.....	522
Substitute for adopted and passed.....	522
Passed House.....	522
Reported correctly enrolled.....	766
Signed by Governor.....	926
228—By Oheshire. Making appropriations for Benedict Home at Des Moines, Iowa.	
Introduced and referred.....	173
Reported.....	873
Indefinitely postponed.....	873
229—By Oheshire. To amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works, and to provide for the management thereof and giving them additional powers in respect thereto.	
Introduced and referred.....	173
Reported.....	884

S. F.	PAGE
230—By Gorrell. To make an appropriation to the department of Iowa manufacturers of Iowa State Agricultural society.	
Introduced and referred.....	186
Reported.....	599
Re-referred.....	566
Reported.....	653
Indefinitely postponed.....	713
231—By Harper. To repeal section 420 of the Code of 1873 and enacting the following in lieu thereof, governing the expenses of local boards of health and the tax therefor.	
Introduced and referred.....	189
232—By Pusey (by request). Providing for the organization, examination, regulation and control of mutual building and loan or savings and loan associations, for the better protection of shareholders in such associations.	
Introduced and referred.....	190
Reported substitute.....	358
Substitute for adopted and passed.....	426
House rejects.....	690
233—By Sargent (by request). To amend sections 2881 and 2882, chapter 9, title 12 of McClain's Code of Iowa in relation to teachers' certificates.	
Introduced and referred.....	190
Reported.....	394
Indefinitely postponed.....	503
234—By Sargent (by request). To provide for the protection and safety of the public and employees of railways operated by electricity, and to require such railways to vestibule and enclose the platforms of their cars, provide extra brakes and be under the control of the railroad commissioners.	
Introduced and referred.....	190
Reported.....	763
235—By Waterman. To punish the crime of unlawfully breaking and entering a railroad or express car.	
Introduced and referred.....	190
Reported.....	331
Ordered engrossed.....	641
Reported correctly engrossed.....	663
Passed.....	671
Passed House.....	810
Reported correctly enrolled.....	864
Presented to Governor.....	916
236—By Blanchard (substitute for Senate File No. 30). To prohibit the sale and use of impure oil in coal mines and providing penalties for violation thereof.	
Introduced and referred.....	190
Considered and passed.....	190
Passed House.....	526
Reported correctly enrolled.....	556
Signed by Governor.....	790
237—By Ellis (substitute for Senate File No. 12). Providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this state and providing penalties for the violation thereof.	
Introduced, considered and passed.....	191
Passed House.....	486
Reported correctly enrolled.....	555
Signed by Governor.....	791

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238—By Carney. To legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa.	
Introduced and referred.....	197
Reported.....	276
Passed.....	301
Passed House.....	533
Reported correctly enrolled.....	555
Signed by Governor.....	790
239—By Carpenter (by request). To amend chapter 104 of the acts of the Twenty-first General Assembly, relating to practice of medicine.	
Introduced and referred.....	198
Reported.....	303
Indefinitely postponed.....	410
240—By Cheshire. Making appropriations for the State Industrial School, girls' department, at Mitchellville, Iowa.	
Introduced and referred.....	198
Reported substitute.....	816
Substitute for adopted and passed.....	828
Passed House.....	840
Reported correctly enrolled.....	862
Presented to Governor.....	917
241—By Eaton. Legalizing the acts of the council of the town of Coin, Page county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said town.	
Introduced and referred.....	198
Reported.....	331
House File No. 245 substituted for.....	413
242—By Ellis (by request). To amend section 1309 of the Code of Iowa, in relation to judgment liens against railway corporations.	
Introduced and referred.....	198
Reported.....	361
Referred to Sifting Committee..	918
Reported.....	918
243—By Hipwell. To amend sections 6 and 11 of chapter 7, of the laws of the Twenty-fifth General Assembly, relating to the paving and curbing of streets, or the construction of sewers.	
Introduced and referred.....	198
Reported without recommendation.....	832
244—By Junkin. To provide for the auditing and payment of certain expenses of district judges.	
Introduced and referred.....	198
Reported.....	331
Considered and bill lost.....	646
Motion to reconsider.....	658
245—By Junkin. Repealing chapter 39 of the acts of the Fifteenth General Assembly, as amended by chapter 68 of the acts of the Seventeenth General Assembly, relating to powers of boards of supervisors, and to enact a substitute therefor.	
Introduced and referred.....	198
246—By Junkin. To compensate H. H. Jelly for injuries received while in the employ of the state.	
Introduced and referred.....	198
Reported.....	594

S. F.	PAGE
247—By Carney. To amend section 280 of the Code of 1873, as amended by chapter 54 of the acts of the Twenty-fifth General Assembly of Iowa, relating to the bonding of county indebtedness.	
Introduced and referred.....	207
Reported with substitute.....	319
Substitute for adopted and passed.....	224
Passed House.....	279
Reported correctly enrolled.....	312
Signed by Governor.....	550
248—By Eaton. Making an appropriation for the Hospital for the Insane at Clarinda, Iowa.	
Introduced and referred.....	207
Reported.....	373
Indefinitely postponed.....	373
249—By Funk. To regulate the use of the wharves upon the shores and banks of navigable lakes and streams.	
Introduced and referred..	207
Reported.....	494
Referred to Sifting Committee....	895
250—By Garst. To authorize the Executive Council to purchase or condemn real property for the use of the state, and to grade, improve and ornament the same.	
Introduced and referred.....	207
Reported.....	373
Indefinitely postponed.....	373
251—By Harper (by request). To authorize the assessment, levy and collection of taxes for park purposes in certain cities of the first class.	
Introduced and referred.....	207
Reported.....	332
252—By Healy. To define and regulate banks and bankers, and to subject persons, associations, co-partnerships and corporations, who may be engaged in carrying property for hire, and who may sell drafts, checks, receipts or orders for money, to the provisions thereof.	
Introduced and referred.....	208
Reported.....	357
Indefinitely postponed.....	410
253—By Hobart. To legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa.	
Introduced and referred.....	208
Reported.....	275
Passed.....	411
Passed House with amendments.....	486
House amendments concurred in.....	488
Reported correctly enrolled.....	556
Signed by Governor.....	790
254—By Kilburn. Defining the number of officers and employes of the General Assembly.	
Introduced and referred.....	208
Reported.....	518
255—By Perrin. To empower judges of the district court to have additional jurors sit in the trial of criminal causes.	
Introduced and referred.....	208
Reported.....	388
Indefinitely postponed.....	410

S. F.	PAGE
256—By Cheshire. To provide for the payment of the balance of the salary due N. B. Raymond as reporter of the supreme court for the year ending January 7, 1895.	
Introduced and referred.....	208
Reported.....	475
Passed.....	748
Passed House	921
Reported correctly enrolled.....	942
Presented to the Governor.....	950
257—By Carpenter. To aid in bringing the Iowa reports of the Iowa supreme court decisions; providing compensation therefor.	
Introduced and referred.....	217
Reported.....	446
Re-referred.....	446
Reported.....	475
Passed	748
Passed House	921
Reported correctly enrolled.....	942
Presented to the Governor.....	950
258—By Carpenter. To change the compensation of the supreme court reporter and to facilitate the work of his office.	
Introduced and referred.....	217
259—By Ellis (by request). To repeal sections 1 and 5 of chapter 157 of the Twenty-first General Assembly of the state of Iowa and to enact a substitute therefor.	
Introduced and referred.....	217
Reported.....	431
Re-referred.....	431
Reported.....	582
Re-referred.....	582
Reported.....	609
Referred to Sifting Committee...	918
Reported.....	918
Passed	940
House indefinitely postpones	951
260—By Ellis (by request). To amend section 1132 of the Code of Iowa, as amended by chapter 29 of the laws of the Twenty-fifth General Assembly.	
Introduced and referred.....	217
Reported.....	374
261—By Hobart. Entitled an act relating to the membership of the board of supervisors in the several counties of the state and the election of such supervisors, and relating to the powers and duties thereof.	
Introduced and referred	217
262—By Pusey. To amend section 1132 of the Code of Iowa in relation to insurance.	
Introduced and referred.....	217
Reported recommending substitute	686
263—By Trewin. To establish and continue a chair of pedagogy in the State Agricultural college.	
Introduced and referred.....	218
Reported.....	540
Indefinitely postponed.....	623
264—By Berry (by request). To compel street railway companies to protect certain of their employes from the inclemencies of the weather.	
Introduced and referred	218
Reported.....	763

S. F.	PAGE
265—By Berry (by request). Entitled an act providing for an examining committee in each county to examine the proceedings of the supervisors of such county, and to examine into the acts and reports of members thereof, and of all committees, officers and agents appointed by the board of supervisors in the several counties.	
Introduced and referred.....	218
266—By Downey. Making appropriations for the penitentiary at Fort Madison, Iowa.	
Introduced and referred	218
Reported with committee substitute	815
Substitute for adopted and passed	828
Passed House.....	840
Reported correctly enrolled.....	908
Presented to Governor.....	917
267—By Bell. To legalize the action of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895.	
Introduced and referred.	250
Reported.....	275
Passed	336
Passed House.....	486
Reported correctly enrolled.....	555
Signed by the Governor.....	791
268—By Byers. To amend section 1800 of the Code of Iowa, as amended by chapter 139 of the laws of the Eighteenth General Assembly of the state of Iowa as amended by chapter 38, Twenty-fifth General Assembly of the state of Iowa.	
Introduced and referred.....	250
Reported.....	294
Indefinitely postponed	503
269—By Byers. To make an appropriation for the better equipment of, and that the state of Iowa may be satisfactorily represented and more advantageously advertised by the Iowa state band.	
Introduced and referred.....	250
Reported.....	273
Indefinitely postponed.....	273
270—By Druet. To legalize the incorporation of the town of Marysville, Marion county, Iowa, and to legalize the ordinances passed by said incorporated town.	
Introduced and referred.....	250
Reported	275
Passed	308
Passed House.....	526
Reported correctly enrolled.....	556
Signed by the Governor.....	791
271—By Ellis (by request). To repeal section 3973 of the Code of Iowa of 1873, and to enact a substitute therefor.	
Introduced and referred.....	250
272—By Ellis. To amend section 3721 of the Code of 1873, in respect to taking depositions	
Introduced and referred.....	251
Reported recommending substitute	267
Substitute for adopted and passed	573
Passed House.....	706
Reported correctly enrolled.....	764
Signed by the Governor.....	926

S. F.	PAGE
273—By Ellison. To amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873, as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to salaries of certain officers.	
Introduced and referred.....	251
Reported.....	362
Passed.....	831
Passed House.....	933
Reported correctly enrolled.....	956
Presented to the Governor.....	954
274—By Funk. To legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers.	
Introduced and referred.....	251
Reported.....	275
Passed.....	236
Passed House.....	527
Reported correctly enrolled.....	555
Signed by the Governor.....	791
275—By Garst. To prevent the placing of insurance by outside agents, outside of the state, and providing penalties therefor.	
Introduced and referred.....	251
Reported.....	435
276—By Garst. To prevent the issuing of policies of fire insurance upon risks situated in this state, by insurance companies, associations, partnerships, individual or individuals, without their having complied with the insurance laws of this state.	
Introduced and referred.....	251
Reported.....	445
Passed.....	859
Passed House.....	899
[This bill failed to pass House and was erroneously messaged as having passed, when in fact it lacked the constitutional majority.]	
277—By Pusey. Making appropriations for the Iowa School for the Deaf at Council Bluffs, Iowa.	
Introduced and referred.....	251
Reported.....	873
Indefinitely postponed.....	873
278—By Waterman. To legalize certain warrants on the general fund and certain funding and refunding bonds issued by the city of Ottumwa, Iowa.	
Introduced and referred.....	251
Reported.....	262
Passed.....	300
Passed House with amendments..	436
House amendments concurred in..	443
Reported correctly enrolled.....	495
Signed by the Governor.....	791
279—By Berry (by request). To amend section 1131 of the Code of 1873.	
Introduced and referred.....	251
Reported.....	404
Indefinitely postponed.....	503
280—By Craig (by request). To amend section No. 1160 of the Code of 1873, as amended by chapter 103 of the acts of the Sixteenth General Assembly; chapter 104 of the acts of the Seventeenth General Assembly; chapter 11 of the acts of the Twentieth General Assembly and chapter 93 of the acts of the Twenty-second General Assembly.	
Introduced and referred.....	260

S. F.	PAGE
281—By Harriman (by request). For the extirpation of such weeds as are most injurious to the interest of the farming community of the state of Iowa.	
Introduced and referred.....	260
Reported.....	745-861
282—By Perrin. Providing for farmers institutes, the manner of maintaining and conducting the same and to repeal chapter 58 of the acts of the Twenty-fourth General Assembly.	
Introduced and referred.....	260
Reported.....	333
Recommitted.....	351
Reported.....	514
283—By Sargent (by request). To prevent the re-platting of private cemeteries by the owners thereof.	
Introduced and referred.....	260
Reported.....	446
Indefinitely postponed.....	503
284—By Bonson. Releasing and granting to the city of Dubuque title to certain lands.	
Introduced and referred.....	274
Reported.....	374
House File No. 329 substituted for	633
285—By Carpenter. To amend chapter 34 of the acts of the Twenty-third General Assembly, relating to the protection of fish.	
Introduced and referred.....	274
Reported.....	329
Recommitted.....	350
Indefinitely postponed.....	410
286—By Carroll (by request). To amend chapter 185, acts of the Twentieth General Assembly, regulating the sale of petroleum and its products.	
Introduced and referred.....	274
Reported.....	394
Indefinitely postponed.....	410
287—By Craig. To amend section 2529 of the Code of 1873 in relation to the limitation of actions.	
Introduced and referred.....	274
Reported.....	340
288—By Everett. Limiting the liability of lessees in certain cases.	
Introduced and referred.....	274
Reported.....	333
Indefinitely postponed.....	503
289—By Committee Semi-Centennial, Memorial and Art Building. To provide for the celebration of the semi-centennial of the admission of Iowa into the union and for the establishment and construction of a memorial, historical and art building and to appropriate money therefor.	
Introduced and referred.....	274
Reported.....	873
Indefinitely postponed.....	873
290—By Upton. To amend section 3179 as amended by the Twenty-second General Assembly, chapter 25, relating to transcripts on appeal.	
Introduced and referred.....	274
Reported.....	374
Passed.....	639
Passed House.....	941
Reported correctly enrolled.....	957
Presented to the Governor.....	954

S. F.	PAGE
291—By Cheshire. Authorizing certain cities to establish a department of health and defining its organization, powers and duties.	
Introduced and referred.....	283
Reported.....	833
292—By Druet. To tax express companies, regulating such taxation and releasing certain taxes herein named.	
Introduced and referred.....	283
Reported.....	361
Re-referred.....	362
293—By Druet. To provide for the better protection of life and property by the inspection of all traction portable and semi-portable steam boilers used in this state for the purpose of threshing grain, grass seed, shelling corn and grinding feed, sawing wood and lumber, and to provide for the licensing of engineers of such steam boilers.	
Introduced and referred.....	283
Reported.....	684
294—By Ranck. To make appropriation for the State Historical society.	
Introduced and referred.....	283
Reported....	937
295—By Young. To legalize the incorporation of the Manchester Cemetery company of Manchester, Delaware county, Iowa, and the acts of its officers in relation to continuation after expiration of limitation and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer instead of the sexton as provided in the articles of incorporation.	
Introduced and referred	283
Reported.....	330
Passed.....	411
Passed House with amendments..	527
House amendments concurred in	528
Reported correctly enrolled.....	555
Signed by the Governor.....	790
296—By Rowen. To amend section 4018 of the Code of Iowa as amended by chapter 142, of the acts of the Twentieth General Assembly.	
Introduced and referred.....	283
Reported with substitute.....	403
House File No. 237 substituted for	718
297—By Rowen. To amend section 4091 of the code of Iowa relating to nuisances.	
Introduced and referred.....	283
Reported.....	405
Passed.....	578
Passed House.....	785
Reported correctly enrolled	864
Presented to Governor.....	916
298—By Downey. To amend section 4, chapter 143, acts Sixteenth General Assembly, relating to appointment of judges of superior courts.	
Introduced and referred.....	284
Reported	389
Stricken from calendar.....	628

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299—By Cheshire. Requiring corporations receiving deposits or doing a banking business under the laws of Iowa, to keep a certain per cent of their deposits as a reserve fund.	
Introduced and referred.....	284
Reported	357
Indefinitely postponed.....	410
300—By Cheshire. To amend section 13, chapter 75 of the acts of the Twenty-first General Assembly, in relation to state banks.	
Introduced and referred.....	284
Reported	358
Indefinitely postponed.....	410
301—By Carpenter. To enable cities organized under special charters to issue bonds for the paving of street and alley intersections.	
Introduced and referred	294
Reported	576
Indefinitely postponed.....	621
302—By Gilbertson. To legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa.	
Introduced and referred.....	294
Reported	388
Passed....	412
Passed House.....	526
Reported correctly enrolled.....	557
Signed by the Governor.....	790
303—By Hipwell. To exempt crematoriums from taxation.	
Introduced and referred.....	294
Reported	372
Indefinitely postponed.....	410
304—By Hotchkiss. To amend section 2354 of the Code of 1878, and to preserve the record of the real estate belonging to the estate of deceased persons.	
Introduced and referred.....	294
Reported.....	389
305—By Hurst. Requiring corporations to file their articles of incorporation with the secretary of state, and procuring a certificate to transact business within the state.	
Introduced and referred	294
Reported	389
Recommitted....	389
Reported.....	547
Indefinitely postponed.....	624
306—By Mitchell. To repeal sections 1, 2 and 3, of chapter 50, of the acts of the Twenty-fourth General Assembly in relation to adulterated milk, skimmed milk, cheese and butter, and to enact a substitute therefor.	
Introduced and referred.....	294
Reported	393
307—By Palmer. To repeal chapter 58, acts of the Twenty-first General Assembly, and all acts amendatory thereto, and to provide a substitute therefor.	
Introduced and referred	295
Reported with substitute	350
308—By Palmer. To create and regulate public warehouses, and the warehousing, shipping, weighing and inspection of grain.	
Introduced and referred.....	295
Reported	861

S. F.	PAGE
809—By Rikken. To amend section 1483, of the Code relating to the care of the insane.	
Introduced and referred.....	295
Reported.....	350
House file No. 163 substituted for.	710
810—By Rikken. To provide for the support of a station to distribute infection material of insect diseases.	
Introduced and referred.....	295
Reported.....	361
811—By Trewin. For protection of game.	
Introduced and referred.....	295
Reported..	329
Ordered engrossed.....	564
Reported correctly engrossed....	592
Failed to pass.....	709
812—By Garst. Amending chapter 1, of title 9, of the Code, as amended by chapter 86, of the Twenty-second General Assembly.	
Introduced and referred.....	295
Reported.....	390
Recommitted	390
Reported ..	547
Indefinitely postponed.....	622
813—By Bell. To enable cities, towns or villages to levy and collect a tax or license fee from foreign insurance companies for the benefit of organized fire departments.	
Introduced and referred.....	305
Reported	371
Indefinitely postponed	410
814—By Craig. Appropriating money to pay the expenses of the Iowa Shiloh battlefield commission, appointed by the Governor of the state to locate and mark the positions held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of their duties as such and to reimburse them for moneys expended in performing said duties.	
Introduced and referred.....	305
Reported..	634-851
Passed.....	851
Passed House.....	929
Reported correctly enrolled.....	958
Presented to the Governor.....	955
815—By Special Committee. To provide for the payment of the mileage of the committee appointed to visit the state institutions.	
Considered and passed.....	305
Passed House	348
Reported correctly enrolled.....	443
Signed by the Governor.....	550
816—By Berry. To amend section 3061 of the Code of 1873, relating to stay of execution.	
Introduced and referred.....	318
Reported.....	404
Passed	529
Passed House with amendments .	785
House amendments concurred in.	787
Reported correctly enrolled.....	864
Presented to the Governor ..	915
818—By Hurst. To amend section 1, chapter 64, acts of the Twenty-fifth General Assembly in relation to trespassing on the lands of another.	
Introduced and referred.....	318
Reported.....	513
Indefinitely postponed.....	622

S. F.	PAGE
819—By Young. To pay the expenses of J. W. Cliff, contestant for the office of secretary of the Senate of the Twenty-fourth General Assembly.	
Introduced and referred.....	318
Reported.....	680
820—By Young. For the better protection of members and beneficiary organizations.	
Introduced and referred.....	318
Reported.....	445
821—By Ellison (by request). Entitled an act to amend chapter 69 of the acts of the Twenty-second General Assembly, relating to the management of the criminal insane by adding section 2 thereto providing a steward for the department for the criminal insane at the penitentiary at Anamosa and fixing the amount of his compensation.	
Introduced and referred.....	319
822—By Cheshire. To amend section 4022 of the Code of 1873 relating to the importation, printing, publishing, selling and distributing of obscene books and pictures.	
Introduced and referred.....	319
Reported.....	388
Passed	717
Passed House.....	739
Reported correctly enrolled....	764
Signed by the Governor.....	926
823—By Cheshire. To amend section 16, chapter 60 of the acts of the Fifteenth General Assembly, relating to savings banks	
Introduced and referred.....	328
Reported.....	604
Indefinitely postponed.....	624
824—By Trewin. To provide for the manufacture and sale at wholesale of spirituous, malt, fermented and vinous liquors.	
Introduced and referred.....	328
Reported with substitute.....	463
Failed to pass.....	728
825—By Trewin. To regulate the method of taking testimony by depositions in actions pending within the state of Iowa.	
Introduced and referred.....	329
826—By Berry. To amend section 3106 of the Code of 1873 relating to the terms of redemption of lands from execution sale.	
Introduced and referred.....	329
Reported with substitute.....	408
[See Senate File 331.]	
827—By Bell. Regulating the hours within which children under fifteen years of age may lawfully be upon the streets of cities, towns or villages.	
Introduced and referred	339
Reported	462
Indefinitely postponed.....	508
828—By Carroll. To protect guests of hotels or inns	
Introduced and referred.....	340
Reported.....	394
829—By Funk. To improve the public highways of the state, encouraging the use of wide tires upon wagons made for carrying heavy loads.	
Introduced and referred.....	340
Reported.....	392

S. F.	PAGE
330—By Hotchkiss. Authorizing cities, towns, townships and municipal incorporations to take and hold property by gift or bequest and providing for the management of the same.	
Introduced and referred.....	340
Reported.....	447
Passed.....	502
Passed House.....	739
Reported correctly enrolled.....	764
Signed by the Governor.....	926
331—By Hotchkiss. To amend section 5331 of McClain's Code, regarding the use of bodies for medical and surgical study.	
Introduced and referred.....	340
Reported.....	723
332—By Blanchard. To amend section 3106 of the Code of 1873 relating to the redemption from execution sales of real estate.	
Introduced and referred.....	340
Reported with substitute.....	403
Substitute for adopted and passed	739
Passed House.....	921
Reported correctly enrolled.....	942
Presented to the Governor.....	951
333—By Cheshire. Making appropriations for paving the streets and for repairing the sidewalks adjacent to the capital grounds.	
Introduced and referred.....	346
Reported.....	873
Indefinitely postponed.....	873
334—By Mitchell. To repeal part of section 4 of chapter 170 of the acts of the Nineteenth General Assembly, and chapter 52 of the acts of the Twenty-first General Assembly, and chapter 98 of the acts of the Twenty-second General Assembly, and sections 4, 5, 6, 7 and 8 of chapter 50 of the acts of the Twenty-fourth General Assembly, and chapters 46 and 47 of the acts of the Twenty-fifth General Assembly, all relating to the state dairy commissioner and dairy products and imitations and adulteration thereof, and to enact substitutes therefor.	
Introduced and referred.....	346
Reported.....	861
335—By Penrose. To amend section 3 of chapter 134 of the acts of the Twenty-first General Assembly and to transfer Marshall county from the Eleventh to the Seventeenth judicial district and to provide another judge.	
Introduced and referred.....	347
Reported.....	391
House File No. 92 substituted for.	553
336—By Ellis (by request). To legalize the annexation of Lyons city to the city of Clinton, Iowa.	
Introduced and referred.....	347
337—By Ranck. To legalize the extension and enlargement of the incorporate limits of the incorporate town of Williamsburg, in Iowa county, state of Iowa.	
Introduced and referred.....	347
Reported.....	375
Passed.....	413
Passed House with amendments..	597
House amendments concurred in	603
Reported correctly enrolled.....	670
Signed by the Governor.....	791

S. F.	PAGE
338—By Ranck. To amend section 1740 of the Code, relating to schools and employment of counsel by president of board of school directors.	
Introduced and referred.....	347
Reported.....	701
339—By Cheshire. To amend section 1324 of the Code of Iowa as amended by chapter 104 of the acts of the Nineteenth General Assembly, relating to telegraph and telephone lines.	
Introduced and referred.....	345
Reported.....	420
Re-referred.....	489
Reported.....	577
Stricken from calendar.....	621
340—By Cheshire. To amend section 1, chapter 16, of the acts of the Twenty-second General Assembly, relating to powers of cities and towns of the first and second class, having over 7,000 population.	
Introduced and referred.....	355
Reported.....	576
Indefinitely postponed.....	621
341—By Funk. To declare Spirit and the Okoboji lakes, in Dickinson county, to be public navigable waters and to provide for their preservation and improvement for navigation for the benefit of the public health and for the culture of fish therein.	
Introduced and referred.....	356
Reported.....	390
Re-referred.....	390
Reported.....	435
Passed.....	485
Passed House with amendments..	753
House amendments concurred in	761
Reported correctly enrolled.....	865
Presented to the Governor.....	918
342—By Hurst. To repeal section 6, chapter 43 of the acts of the Twenty-third General Assembly, and to enact a substitute therefor in reference to compensation of justices of the peace and peace officers.	
Introduced and referred.....	356
Reported.....	402
343—By Kilburn. To repeal a part of section 114 of the Code of 1873, in relation to the census.	
Introduced and referred.....	356
344—By Penrose. Granting to city or town council the power to prohibit the use of barb wire for certain purposes, and to provide for the removal of such wire.	
Introduced and referred.....	356
Reported.....	512
Passed.....	565
Passed House.....	885
Reported correctly enrolled.....	908
Presented to the Governor.....	917
345—By Phelps. To legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of the town council.	
Introduced and referred.....	356
Reported.....	389
Passed.....	415
Passed House.....	527
Reported correctly enrolled.....	557
Signed by Governor.....	790

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346—By Code Revision Committee. Defining the duties of the attorney-general of the state and fixing the compensation of the same.	
Introduced.....	356
Referred to Sifting Committee....	862
Reported.....	867
Passed	891
347—By Carpenter. To legalize the ordinance of city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates, as the Wapello Electric Light and Power Company, and to legalize the proceedings of said council under and by virtue of said ordinance.	
Introduced and referred.....	353
Reported	388
Passed.....	415
Passed House with amendments..	486
House amendments concurred in.	489
Reported correctly enrolled.....	557
Signed by the Governor	790
348—By Harriman (by request). Authorizing the employment of persons in the penitentiaries on work for the improvement of the streets and highways.	
Introduced and referred.....	857
Reported.....	861
349—By Druce. To make appropriations for the Industrial Home for the Blind at Knoxville, Iowa.	
Introduced and referred.....	867
350—By Harper. Authorizing cities to license and tax transient merchants and peddlers.	
Introduced and referred.....	368
Reported.....	656
Indefinitely postponed.....	713
351—By Palmer. To amend section 1390 of the Code of Iowa relating to the care of the hospitals for the insane.	
Introduced and referred.....	368
Recalled from committee.....	490
Re-referred.....	490
352—By Ranck (by request). To provide for selecting and drawing jurors in superior courts.	
Introduced and referred.....	368
Reported and re-referred.....	421
353—By Mitchell. To reimburse the members and heirs of members of the Second and Third Iowa infantry for gray uniforms purchased during the war.	
Introduced and referred.....	368
Reported.....	444
Passed.....	746
Passed House.....	771
Reported correctly enrolled.....	864
Presented to the Governor.....	916
354—By Mines and Mining Committee. To amend and codify the statutes in relation to certain police regulations.	
Introduced and passed on file....	383
355—By Cheshire. To amend section 1144 of the Code of 1873 as amended by chapter 55, acts of the Fifteenth General Assembly and chapter 66, acts of the Sixteenth General Assembly and chapter 145 of the acts of the Twenty-first General Assembly and relating to foreign insurance companies.	
Introduced and referred.....	383
Reported.....	434
Indefinitely postponed.....	714

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356—By Garst. Amending section 2410 of the Code relative to the statutory denial of claims filed against estates of decedents.	
Introduced and referred.....	388
Reported.....	434
Ordered engrossed.....	709
Reported correctly engrossed.....	721
Passed.....	779
Passed House.....	984
Reported correctly enrolled.....	914
Presented to the Governor.....	955
357—By Harper (by request). Amending chapter 2, of title 10, of the Code of 1873 relating to draining and levies.	
Introduced and referred.....	384
Reported	548
House File No. 383 substituted for	955
358—By Upton. Making an appropriation for the purchase of apparatus necessary to enable the state superintendent of weights and measures to comply with the requirements of law relating to county and town standards.	
Introduced and referred.....	384
Reported	937
359—By Waterman. Making appropriation for enlarging the cell capacity and yard of the penitentiary at Ft. Madison, Iowa.	
Introduced and referred.....	384
Reported	463
Passed.....	560
Vote reconsidered	563
Indefinitely postponed.....	563
360—By Blanchard. To provide for state scholarship in the state of Iowa, and the manner of awarding the same.	
Introduced and referred	400
Reported	540
361—By Carney (by request). To amend section 2, of chapter 11, of the acts of the Twenty-second General Assembly, and to provide that cities and towns may supply water, gas and electric lights and power to inhabitants thereof for a reasonable compensation.	
Introduced and referred	400
Reported	657
Referred to Sifting Committee....	918
Reported	918
362—By Hobart. To enable the trustees or commissioners of state institutions to lay out, establish, vacate or change public highways through land owned by the state on which state institutions are situated.	
Introduced and referred.....	400
Reported	546
Passed	749
Passed House.....	771
Reported correctly enrolled.....	863
Presented to the Governor.....	916
363—By Rowen. To prevent the taking of orders for intoxicating liquors and the distribution of such liquors.	
Introduced and referred.....	400
Reported	538
364—By Ranck. To amend chapter 74 of the Eighteenth General Assembly pertaining to the militia.	
Introduced and referred	400
Reported	445

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365—By Eaton. To amend section 430 of the Code, relating to the annexation of contiguous territory by cities and towns.	
Introduced and referred.....	418
Reported.....	656
Indefinitely postponed.....	713
366—By Garst. In relation to the sentence of persons convicted of crime, and providing for a system of parole.	
Introduced and referred.....	419
Reported.....	632
367—By Garst. To amend chapter 163 of the acts of the Twentieth General Assembly, relating to the stopping of trains at railway crossings.	
Introduced and referred.....	419
Reported.....	763
368—By Funk. To provide for the payment of the current expense fund for the hospital for the insane, quarterly in advance.	
Introduced and referred.....	419
369—By Junkin. Fixing the place in which actions on certain contracts relating to insurance shall be brought.	
Introduced and referred.....	419
Reported.....	495
Re-referred.....	495
370—By Phelps. To amend section 853, chapter 1, title 6 of the Code of 1873, as amended by chapter 35 of the acts of the Twenty-fourth General Assembly, relating to the lien of taxes between vendor and vendee.	
Introduced and referred.....	431
371—By Garst. To legalize certain taxes levied by counties pursuant to chapter 200 of the acts of the Twentieth General Assembly, and as amended by chapter 22 of the acts of the Twenty-fifth General Assembly.	
Introduced and referred.....	431
Reported.....	446
Passed.....	507
House rejects.....	707
372—By Hobart. To increase the number of judges in the Fourth judicial district.	
Introduced and referred.....	431
Reported.....	460
373—By Ranck. Relating to certain additional justices of the peace, and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.	
Introduced and referred.....	441
Reported.....	461
Passed.....	509
Passed House.....	711
Reported correctly enrolled.....	765
Signed by the Governor.....	926
374—By Bonson. To legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896.	
Introduced and referred.....	441
Reported.....	462
Passed.....	509
Passed House with amendments..	587
House amendments concurred in.	593
Reported correctly enrolled.....	605
Signed by the Governor.....	791

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375—By Bonson. To legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed, by the council of said town, since July 20, 1895.	
Introduced and referred.....	441
Reported.....	461
Passed.....	508
Passed House.....	652
Reported correctly enrolled.....	669
Signed by the Governor.....	791
376—By Penrose. To legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all acts done and the ordinances passed by the council of said town.	
Introduced and referred.....	441
Reported.....	461
Passed.....	507
Passed House with amendments..	746
House amendments concurred in.	755
Reported correctly enrolled.....	766
Signed by the Governor.....	926
377—By Carney. To amend section 6, chapter 43, acts of the Twenty-third General Assembly, relating to vagrants.	
Introduced and referred.....	441
Reported.....	668
Passed.....	689
House rejects.....	728
378—By Healy. To amend section 2276 of the Code, as amended by chapter 70 of the laws of the Twenty-second General Assembly, authorizing guardians of insane persons to mortgage the real estate of their wards.	
Introduced and referred.....	460
Reported.....	686
379—By Ranck (by request). To amend section 111 of the Code of Iowa.	
Introduced and referred.....	460
380—By Junkin. To amend section 2008 of the Code of 1873 relating to the election to retain descent and exemption of homesteads.	
Introduced and referred.....	460
Reported.....	617
Re-referred.....	617
381—By Perrin. To provide for the entry upon transfer, index and plat books in county auditors' offices of real estate conveyed by will or apportioned by legal proceedings.	
Introduced and referred.....	460
Recalled by author.....	465
382—By Hipwell (by request). To amend section 1364 of the Code of 1873 relating to the adoption of children at the Soldiers' Orphans' Home, Davenport, Iowa.	
Introduced and referred.....	460
Reported.....	669
Indefinitely postponed.....	714
383—By Alexander. Making repairs on and keeping in repair the state capitol building and other improvements.	
Introduced and referred.....	460
Recalled.....	544
Re-referred.....	544
Reported with substitute.....	848
Substitute for adopted and passed	849
Passed House.....	899
Reported correctly enrolled.....	942
Presented to the Governor.....	951

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884—By Rowen. Relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Bryne.	
Introduced and referred	461
Reported.....	494
Passed.....	625
Passed House	727
Reported correctly enrolled.	765
Signed by the Governor.....	926
885—By Funk. Imposing a collateral inheritance tax and providing for the collection of the same.	
Introduced and placed on calendar.....	474
Made special order.....	635
Passed.....	647
Passed House	818
Reported correctly enrolled.....	861
Presented to the Governor... ..	916
886—By Alexander. Authorizing the appointment of a commission to co-operate with the Vicksburg national military park commission in ascertaining and marking the positions occupied by the several regiments and batteries of Iowa troops engaged in the battles and siege of Vicksburg.	
Introduced and referred.....	474
Reported.....	868
Referred to Sifting Committee....	918
Reported.....	918
Passed	930
House indefinitely postpones....	951
887—By Palmer. To amend section 2, of chapter 17, of the acts of the Twenty-second General Assembly, as amended, changing the form of city bonds.	
Introduced and referred.....	492
Reported.....	577
Passed.....	627
Passed House.....	644
Reported correctly enrolled.....	670
Signed by the Governor.....	791
888—By Code Revision Committee. To revise, amend and codify the statutes in relation to justices of the peace and the courts.	
Introduced and referred.....	493
Reported.....	593
889—By Code Revision Committee. To revise, amend and codify the statutes in relation to crimes and punishments.	
Introduced and referred.....	493
Reported.....	594
890—By Code Revision Committee. To revise, amend and codify the statute in relation to evidence.	
Introduced and referred.....	493
891—By Junkin. To amend section 2441 of the Code of 1873, relating to the distributive share of the widow in real estate.	
Introduced and referred.....	493
892—By Bonson. To authorize cities acting under special charter to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property.	
Introduced and referred.....	493
Reported.....	838

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893—By Carney. An act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and to provide for the selecting and drawing of jurors.	
Introduced and referred.....	511
Reported with substitute	605
Re-referred.....	661
Reported... ..	725
Ordered engrossed	784
Reported correctly engrossed....	799
Passed.....	812
Passed House with amendments..	921
House amendments concurred in	921
Reported correctly enrolled.....	955
Presented to the Governor.....	954
894—By Funk. Appropriating funds for the support of the state fish commissioner.	
Introduced and referred.....	532
Reported.....	796
Passed	829
Passed House.....	840
Reported correctly enrolled.....	863
Presented to the Governor.....	917
895—By Appropriation Committee. To provide for the semi-centennial of the admission of Iowa into the union.	
Introduced and referred.	532
Placed on calendar.....	533
Passed.....	560
Passed House	792
Reported correctly enrolled.....	863
896—By Young. To appropriate money to pay the claims of individuals and counties in Iowa for making the exhibit of Iowa at the World's exposition in New Orleans.	
Introduced and referred.....	543
Reported	636
Passed.....	676
Passed House with amendments..	900
House amendments concurred in	925
Reported correctly enrolled.....	942
Presented to the Governor.....	950
897—By Perrin (by request) Providing for the publication and distribution of the proceedings of the fifth reunion of the Pioneer Law Makers' association of Iowa.	
Introduced and referred.....	543
Reported.....	606
Passed.....	706
898—By Alexander. To authorize the people of cities acting under special charters to transfer or dedicate parks, public squares or plats of grounds for free public library building purposes.	
Introduced and referred.....	543
Reported.....	725
899—By Blanchard (by request). To prescribe the method of electing representatives to congress.	
Introduced and referred.....	543
Reported.....	616
Indefinitely postponed.....	712

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400—By Druet. To legalize the resolutions and ordinances, and elections held, to bond the city of Pella, Marion county, Iowa, to erect water works within said city, and to legalize the occupancy of block No 36, the same which is known and platted as "West Market Square," in said city for that purpose.	
Introduced and referred.....	543
Reported.....	604
Substituted for House File No. 463	
Passed.....	868
Passed House.....	868
Reported correctly enrolled.....	942
Presented to the Governor.....	950
401—By Lehfeldt. To amend section 3 of chapter 148, of the acts of the Twenty-first General Assembly, to transfer Harrison county from the Fourth to the Fifteenth judicial district.	
Introduced and referred.....	544
Reported.....	894
402—By Waterman. To protect the meandered lakes of Iowa, and to give to the executive council the control of certain lakes and beds.	
Introduced and referred.....	552
403—By Committee on Ways and Means. To provide for the current expense fund for the hospital for the insane quarterly in advance.	
Introduced.....	552
Placed on calendar.....	552
Passed.....	626
Passed House.....	711
Reported correctly enrolled.....	764
Signed by the Governor.....	928
404—By Rowen. To amend section 5479 of chapter 15 of McClain's Code, relating to prosecution of publishers for libel.	
Introduced and referred.....	552
Reported with substitute.....	696
405—By Healy. To amend chapter 167, acts of the Nineteenth General Assembly as amended by chapter 22, acts of the Twenty-third General Assembly, and by chapter 36, acts of the Twenty-fifth General Assembly, providing for the issue of additional kinds of certificates and diplomas and directing more clearly the manner in which a certificate or a diploma may be revoked by the state educational board of examiners.	
Introduced and referred.....	552
Reported.....	700
406—By Cheshire. Creating a board of police and fire commissioners in all cities of the first class having a population of more than 55,000, and defining the duties and powers of such board.	
Introduced and referred.....	567
Reported.....	834
Passed.....	925
House indefinitely postpones.....	936
407—By Bell (by request). To provide for members of county boards of supervisors and township trustees.	
Introduced and referred.....	567

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408—By Bell. Relating to wires electrical apparatus and appliances in the state of Iowa, for the prevention of fires and losses of life and property.	
Introduced and referred.....	567
Reported.....	685
Indefinitely postponed.....	714
409—By Lothrop. To amend section 2 of chapter 15, of the laws of the Twenty-fifth General Assembly relating to the appointment of police matrons.	
Introduced and referred.....	567
Reported.....	833
410—By Carney. To legalize the incorporation of the independent school district of Melbourne, Marshall county, Iowa, and the acts of the township board of directors organizing the same.	
Introduced and referred.....	581
Reported.....	605
Passed.....	624
House indefinitely postpones.....	707
411—By Henderson (by request). For the better protection of game.	
Introduced and referred.....	581
Reported.....	631
Re-referred.....	631
412—By Alexander. To provide for selecting and drawing jurors in superior courts.	
Introduced and referred.....	581
413—By Sargent. To repeal sections 1 and 2, chapter 20, acts of the Twenty-fourth General Assembly and enact a substitute therefor, changing the term of office of sub-directors from three years to one year.	
Introduced and referred.....	581
Reported.....	872
414—By Garst. To authorize the purchase of certain real property on which to erect a memorial hall and art building, and for the use of the state, and making an appropriation therefor.	
Introduced and referred.....	581
Reported.....	873
Indefinitely postponed.....	873
415—By Healy. To legalize the acts and ordinances, and acts of the city council of the town of Clare, Iowa.	
Introduced and referred.....	591
Reported.....	604
Passed.....	625
Passed House.....	868
Reported correctly enrolled.....	907
Presented to the Governor.....	916
416—By Mitchell. To legalize conveyances of real property made by executors or trustees under foreign wills.	
Introduced and referred.....	591
Reported.....	690
Referred to Sifting Committee....	895
Reported.....	918
417—By Junkin (by request). To provide for the compensation of volunteer fire companies.	
Introduced and referred.....	602
Reported.....	834

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418—By Rowen—To legalize the incorporation of the town of Woolstock, Wright county, Iowa, and the acts of the town council and ordinances passed by it since its incorporation.	
Introduced and referred.....	602
Reported.....	655
House File No. 486 substitute for..	705
419—By Hotchkiss (by request). To provide for holding terms of the district court at Perry, in county of Dallas, in the Fifth judicial district of the state of Iowa, and defining the jurisdiction of said court.	
Introduced and referred.....	602
420—By Code Revision Committee. To revise, amend and codify the statutes in relation to procedure in particular cases.	
Introduced and referred.....	615
421—By Code Revision Committee. To revise, amend and codify the statutes in relation to criminal procedure.	
Introduced and referred.....	615
422—By Code Revision Committee. To revise, amend and codify the statutes in relation to procedure to reverse, vacate and modify judgments.	
Introduced and referred.....	615
423—By Committee on Military. To amend section 15 of chapter 58 of the laws of the Twenty-first General Assembly relating to the powers of the board of commissioners of the Iowa Soldiers' Home.	
Introduced and made special order	630
Substitute offered	753
Substitute for adopted and passed	757
Passed House with amendments..	914
House amendments rejected.....	932
Motion to reconsider	930
Vote reconsidered.....	932
Vote lost.....	932
House amendments rejected.....	932
House indefinitely postpones.....	951
424—By Alexander. Legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances in 1895.	
Introduced and referred.....	651
Reported	698
Passed	767
Passed House with amendments..	785
House amendments concurred in.	786
Reported correctly enrolled.	863
Presented to the Governor	917
425—By Lothrop (by request). To amend section 902 of the Code of Iowa limiting the time for bringing actions on tax deeds.	
Introduced and referred....	651
426—By Perrin. To empower judges of the district and superior courts to limit the time to be consumed in arguments of attorneys in the trial of causes.	
Introduced and referred.....	664
427—By Perrin. To repeal sub-division 1 of section 2844 of the Code of Iowa and enact a substitute therefor.	
Introduced and referred.....	664

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428—By Upton. Fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.	
Introduced and referred.....	694
Reported.....	777
Passed	891
Passed House.....	938
Reported correctly enrolled.....	959
Presented to the Governor.....	955
429—By Riffin. Providing for the appointment and salary of a secretary and treasurer of the commissioners of pharmacy, prescribing his duties, providing for him giving bond and for the inspection by the Governor of the books and accounts of the commissioners.	
Introduced and referred.....	661
Recalled from committee	827
430—By Gorrell. To legalize the action of the board of directors of the district township of Poweshiek, in Jasper county.	
Introduced and referred.....	674
Reported	690
Passed.....	745
Passed House.....	785
Reported correctly enrolled.....	863
Presented to the Governor.....	918
431—By Judiciary Committee. Regulating the purchase of materials, articles and supplies for state institutions.	
Introduced	675
Placed on calendar.....	675
Passed.....	704
Motion to reconsider.....	721
Recalled from House.....	746
Returned from House.....	749
Vote reconsidered.....	769
Passed.....	771
432—By Berry. To require boards of school directors to fence school house sites.	
Introduced and referred.....	680
Reported.....	835
433—By Committee on Schools. To revise, amend, codify and re-enact the laws in relation to the school funds.	
Introduced and referred	694
434—By Committee on Schools. To revise, amend, codify and re-enact the laws in relation to county high schools.	
Introduced.....	695
Placed on calendar.	695
435—By Committee on Schools. To revise, amend, codify and re-enact the laws in relation to the county superintendents	
Introduced	695
Placed on calendar.....	695
436—By Committee on Schools. To revise, amend and codify the laws in relation to uniformity and the purchase of text-books.	
Introduced	695
Placed on calendar.....	695
437—By Committee on Schools. To revise, amend, codify and re-enact the statutes in relation to the superintendent of public instruction.	
Introduced.	695
Placed on calendar.....	695

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438—By Committee on Schools. To revise, amend, codify and re-enact the laws in relation to the educational board of examiners.	
Introduced.....	695
Placed on calendar.....	695
439—By Berry. Making appropriation for payment to members of the Code commission of unpaid balances of their claims for services.	
Introduced and referred.....	695
Reported.....	873
440—By Berry. To appropriate money for payment to the clerk of the Code commission of the unpaid balance of her claim for services.	
Introduced and referred.....	695
Reported without recommendation.....	873
441—By Carroll. To amend an act of the Twenty-sixth General Assembly entitled "an act to prohibit the sale and use of impure oil in coal mines and providing penalties for violation thereof."	
Introduced.....	719
Considered and passed.....	719
Passed House.....	723
Reported correctly enrolled.....	764
Signed by the Governor.....	926
442—By Druet. To repeal sections 1, 2 and 3, of chapter 51, of the acts of the Twenty-fourth General Assembly, relative to the name of, objects of, and persons eligible to the Industrial Home for the Blind at Knoxville, Iowa, and to provide a substitute therefor.	
Introduced and referred.....	720
Reported.....	903
443—By Pusey. To amend section 8, of chapter 10, acts of the Twenty-first General Assembly, entitled an act to regulate the practice of medicine and surgery in the state of Iowa.	
Introduced and referred.....	722
Reported.....	774
444—By Craig. To provide additional support for the Iowa National guard.	
Introduced and referred.....	723
Reported.....	873
Indefinitely postponed.....	873
445—By Palmer. To amend section 3072 of the Code, enlarging the amount of exempt property to mechanics.	
Introduced and referred.....	744
446—By Waterman. To apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17 of the laws of the Twenty-second General Assembly and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 8, laws of the Twenty-fifth General Assembly, and House File No. 161, enacted by the Twenty-sixth General Assembly, relating to indebtedness of cities or towns.	
Introduced.....	759
Considered and passed.....	759
Passed House.....	845
Reported correctly enrolled.....	907
Presented to the Governor.....	916

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447—By Penrose. To extend the time of the incorporation of Oak Hill Cemetery association of Florence township, Benton county, Iowa, and to legalize all of its acts and proceedings in the election of its officers, the selling and conveying of lots.	
Introduced.....	760
Considered and passed.....	760
Passed House.....	868
Reported correctly enrolled.....	907
Presented to the Governor.....	916
448—By Hospers. To legalize the organization of the Hawarden fair association of Hawarden, Iowa.	
Introduced and referred.....	801
Reported.....	822
Passed.....	826
Passed House.....	941
Reported correctly enrolled.....	956
Presented to the Governor.....	954
449—By Hipwell. To repeal section 4 of chapter 15 of the acts of the Twentieth General Assembly relative to taxes for park purposes.	
Introduced and referred.....	801
Reported.....	821
Passed.....	825
Passed House.....	930
Reported correctly enrolled.....	957
Presented to the Governor.....	954
450—By Carroll. To amend section 801 of the Code of 1873 relating to the taxing of money.	
Introduced.....	839
Considered and passed.....	839
Passed House.....	885
Reported correctly enrolled.....	907
Presented to the Governor.....	916
451—By Committee on Appropriations. Authorizing the Executive Council to purchase or condemn a site to erect a memorial, historical and art building, to procure plans and specifications therefor and take other preliminary steps toward its construction, and making appropriations therefor.	
Introduced.....	850
Considered and passed.....	850
Passed House.....	850
Reported correctly enrolled.....	942
Presented to the Governor.....	950
452—By Conference Committee. To provide for the protection of the flags carried by the Iowa soldiers in the war of 1861-1865.	
Introduced.....	852
Reported.....	937
453—By Committee on Appropriations. To provide for a general levy for state purposes.	
Introduced.....	870
Considered and passed.....	870
Passed the House.....	899
Reported correctly enrolled.....	941
Presented to the Governor.....	951

S. F.	PAGE
454—By Sifting Committee. To amend chapter 185 of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline and to increase the powers and duties of the state inspector of oils.	
Introduced.....	900
Considered and passed.....	900
Passed House.....	930
Reported correctly enrolled.....	956
Presented to the Governor.....	954
455—By Sifting Committee. To amend section 12 of chapter 80 of the laws of the Twenty-fifth General Assembly relating to the rules governing trustees in the appointment of superintendent.	
Introduced.....	928
Failed to pass.....	928

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456—By Harper. Amendatory of chapter 1 of the acts of the Twenty-fourth General Assembly relating to boards of park commissioners.	
Introduced.....	933
Passed.....	933
Passed House.....	936
Reported correctly enrolled.....	957
Presented to the Governor.....	954
457—By Committee on Appropriations. Making appropriation for the payment of state and judicial officers state expenses and other bills.	
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Reported correctly enrolled.....	956
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NO.	PAGE
1—By Trewin. Resolved by the Twenty-sixth General Assembly, that the secretary of Senate and chief clerk of the House be instructed to purchase for the president, the secretary of the Senate and each senator, the speaker and chief clerk and each member of the House, a copy of McClain's or Miller's Code, at option of person entitled thereto.	
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2—By Cheshire. Be it resolved by the General Assembly of the state of Iowa, that the secretary of state be directed to furnish suitable stationery for the use of the members of the Senate and the House.	
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3—By Alexander. Be it resolved by the Twenty-sixth General Assembly that the custodian of the capitol be and is hereby authorized to purchase for the Senate one hundred camp chairs and one hundred and ten for the House.	
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4—By Perrin. Agreeing to an amendment to the constitution of the state of Iowa, prohibiting the manufacture and sale of intoxicating liquors as a beverage within the state.	
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5—By Cheshire. In relation to stationery supplies for use of reporters.	
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6—By Alexander. Resolved by the General Assembly of the state of Iowa that the custodian of the capitol be and is hereby directed to purchase for the use of the bill clerks of the Senate and House two suitable step ladders and two tables, and for use in committee rooms twelve small tables.	
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7—By Bonson. Relative to honoring the memory of Major F. J. Herron.	
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8—By Carpenter. Relative to the construction of a levee along the Mississippi river for the improvement of navigation.	
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9—By Kilburn. Relative to proposing an amendment to the state constitution in relation to suffrage.	
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10—By Kilburn. Relative to proposing an amendment to the state constitution relative to qualification for membership of the general assembly.	
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12—By Hipwell. Relative to directing the survey and sale of lands left dry by the disappearance of Swan and Muskrat lakes in Pocahontas county, state of Iowa. Introduced and referred.....	295
13—By Kilburn. Proposing an amendment to the constitution of the state of Iowa. Introduced and referred.....	296
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14—By Phelps. Proposing an amendment to the state constitution in relation to the right of trial by jury and authorizing the General Assembly to provide for a jury of a less number than twelve in civil cases and providing for a verdict of a less number than the whole jury sitting in the cause. Introduced and referred.....	368
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15—By Conference Committee. Relative to procuring 15,000 copies of the railroad commissioners' map of Iowa, with suitable envelopes therefor, and deliver seventy-five copies thereof to each member of the Twenty-sixth General Assembly.	

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18—By Funk. Resolved by the Twenty-sixth General Assembly that the secretary of state be and is hereby directed to furnish to Senator John Downey a copy of McClain's Code to replace the copy purloined from his desk. Introduced and passed.....	867
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102—By Huntley. To reimburse John L. Brown as auditor of state during years 1885 and 1886.	
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109—By Merriam. To legalize the incorporation of the town of Coleburg, Delaware county, Iowa.	
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332—By Watters. To amend section 989 of the Code relative to the drainage of surface water.	
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Passed.....	871
333—By Hendershot. To legalize the incorporation of the town of Pleasantville, Iowa.	
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Passed.....	506
343—By Potter. To amend section 1132 of the Code of 1873, relating to insurance bonds.	
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351—By Chapman. To reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin.	
Read first and second times and referred	848
Reported.....	872
Passed.....	920

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355—By Miller of Warren. Defining bicycles and regulating their use.	
Read first and second times and referred	691
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361—By Lambert. To repeal section 6, chapter 42, of the acts of the Twenty third General Assembly, in reference to compensation of justices of the peace.	
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372—By Garner. To repeal section 1, chapter 7, of the acts of the Twenty-fourth General Assembly, relating to compensation of mayors when acting as justice of the peace.	
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376—By Ladd. Relating to the protection of members and beneficiaries of beneficiary organizations.	
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377—By Lavender. To amend chapter 167, acts of the Nineteenth General Assembly, relative to revocation of certificate or diploma.	
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378—By Building and Loan Committee. Providing a substitute for chapter 6 of title 9, of the Code of 1873, establishing and governing mutual building and loan associations.	
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420—By Nietert. To amend chapter 168 of the acts of the Nineteenth General Assembly, empowering cities under a special charter to establish boards of health.	
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JOURNAL OF THE SENATE.

SENATE CHAMBER
DES MOINES, Monday, January 13, 1896. }

Pursuant to law the Twenty-sixth General Assembly convened at 10 o'clock A. M., and was called to order by Lieutenant-Governor W. S. Dungan.

Prayer was offered by Rev. A. B. Marshall of Des Moines.

On motion of Senator Waterman, all officers of the Twenty-fifth General Assembly present were made the temporary officers of the Senate.

The following officers were present and sworn in:

E. R. Hutchins, Secretary; Thos. E. Cox, Journal Clerk; George W. Hicks, Chief Door-keeper; Curtis Clark of Lucas county, H. Middlebrook of Howard county, S. A. Moore of Davis county, P. Greer of Page county, W. W. McKnight of Madison county, John D. Peters of Jasper county, Assistant Door-keepers.

On motion of Senator Waterman, Willis L. Hall was elected temporary Assistant Secretary.

On motion of Senator Waterman, Charles H. Talmadge was elected temporary First Assistant Secretary.

Senator Harper introduced the following resolution:

Resolved, That the re-elected and hold-over senators be permitted to take the seats occupied by them during the Twenty-fifth General Assembly, if they so desire; all other senators to draw seats by lot, except senators elected to fill vacancies, who shall be accorded the privilege of their predecessors.

Adopted.

Senator Upton offered the following resolution:

Resolved, That the Lieutenant-Governor, the temporary Secretary of the Senate, the temporary Sergeant-at-Arms, and the temporary Doorkeeper, each be entitled to name a page in addition to those appointed for the Senate-at-large.

Adopted.

The following temporary pages were appointed: Barry Hetz, Frank Avery, Charles Rowen.

The roll of the hold-over senators was called, showing the following present:

35th District—Bonson, Robert. (To fill vacancy.)

20th District—Carpenter, C. A.

30th District—Cheshire, T. A.

1st District—Downey, John.

7th District—Eaton, Wm.

22d District—Ellis, L. A.

48th District—Garst, Warren.

29th District—Gorrell, J. R.

9th District—Harper, T. G.

50th District—Henderson, G.

21st District—Hipwell, C. G.

34th District—Lehfelddt, Rudolph.

10th District—Palmer, D. J.

45th District—Penrose, E. G.

44th District—Perrin, W. B.

18th District—Phelps, Julian.

12th District—Riggen, J. A.

37th District—Rowen, J. E.

38th District—Sargent, E. M. (To fill vacancy.)

42d District—Upton, C. C.

13th District—Waterman, H. L.

Senator Cheshire made the following motion:

I move that the President appoint a committee of five on credentials and that the committee be instructed to make their report in thirty minutes.

Adopted.

The following Committee on Credentials was appointed:

Senators Cheshire, Eaton, Harper, Phelps, and Upton.

Senator Penrose moved that the Secretary place the names of Senators in a hat and as each name was drawn the selection of seats be made.

Senator Carroll moved to amend, that the numbers of the unassigned seats be placed in a hat and those Senators not having seats draw the numbers and take the seats drawn.

Lost.

The motion of Senator Penrose was adopted.

Senator Lothrop moved that, owing to the absence of Senator Hobart, Senator Funk be allowed to make the selection for him.
Adopted.

The selection of seats resulted as follows:

Alexander, 42; Allyn, 44; Bell, 30; Berry, 46; Blanchard, 29; Bonson, 32; Byers, 31; Carney, 20; Carpenter, 49; Carroll, 48; Cheshire, 47; Craig, 5; Downey, 43; Druet, 1; Eaton, 21; Ellis, 15; Ellison, 24; Ericson, 35; Everall, 17; Funk, 13; Garst, 37; Gilbertson, 16; Gorrell, 12; Harper, 33; Harriman, 36; Healey, 41; Henderson, 9; Hipwell, 2; Hobart, 23; Hospers, 14; Hotchkiss, 50; Hurst, 4; Junkin, 45; Kilburn, 22; Lehfeldt, 11; Lothrop, 3; Mitchell, 25; Palmer, 26; Penrose, 7; Perrin, 28; Phelps, 27; Pusey, 6; Ranck, 19; Rikken, 8; Rowen, 10; Sargent, 40; Trewin, 34; Upton, 18; Waterman, 39; Young, 38.

Senator Cheshire presented the report of the Committee on Credentials, which was as follows:

SENATE CHAMBER, January 13, 1896.

MR PRESIDENT:—Your committee on Credentials find the following named senators entitled to seats in the Twenty-sixth General Assembly:

First district—John Downey.
Second district—Thomas Bell.
Third district—B. F. Carroll.
Fourth district—H. L. Byers.
Fifth district—G. S. Allyn.
Sixth district—W. O. Mitchell.
Seventh district—William Eaton.
Eighth district—Joseph M. Junkin.
Ninth district—T. G. Harper.
Tenth district—D. J. Palmer.
Eleventh district—W. H. Berry.
Twelfth district—J. A. Rikken.
Thirteenth district—H. L. Waterman.
Fourteenth district—L. C. Blanchard.
Fifteenth district—Samuel Druet.
Sixteenth district—L. M. Kilburn.
Seventeenth district—A. C. Hotchkiss.
Eighteenth district—Julian Phelps.
Nineteenth district—N. M. Pusey.
Twentieth district—C. A. Carpenter.
Twenty-first district—C. G. Hipwell.
Twenty-second district—L. A. Ellis.
Twenty-third district—Alfred Hurst.
Twenty-fourth district—F. O. Ellison.
Twenty-fifth district—C. S. Ranck.
Twenty-sixth district—J. S. Alexander.
Twenty-seventh district—T. D. Healey.

Twenty-eighth district—J. L. Carney.
 Twenty-ninth district—J. R. Gorrell.
 Thirtieth district—Thomas B. Cheshire.
 Thirty-first district—C. J. A. Ericson.
 Thirty-second district—J. S. Lothrop.
 Thirty-third district—Daniel A. Young.
 Thirty-fourth district—Rudolph Lehfeldt.
 Thirty-fifth district—Robert Bonson.
 Thirty-sixth district—John Everall.
 Thirty-seventh district—J. E. Rowen.
 Thirty-eighth district—E. M. Sargent.
 Thirty-ninth district—George M. Craig.
 Fortieth district—J. H. Trewin.
 Forty-first district—G. S. Gilbertson.
 Forty-second district—C. C. Upton.
 Forty-third district—Walter F. Harriman.
 Forty-fourth district—W. B. Perrin.
 Forty-fifth district—E. G. Penrose.
 Forty-sixth district—A. C. Hobart.
 Forty-seventh district—A. B. Funk.
 Forty-eighth district—Warren Garst.
 Forty-ninth district—Henry Hospers.
 Fiftieth district—G. W. Henderson.

THOS. A. CHESHIRE, WILLIAM EATON, JULIAN PHELPS, C. C. UPTON, T. G. HARPER,	}	Committee.
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Senator Harper moved that the report be adopted.

Carried.

The oath of office was administered to the temporary officers:

The following newly elected Senators were called to the desk and sworn in:

26th District—Alexander, J. S.
 5th District—Allyn, G. S.
 2d District—Bell, Thos.
 11th District—Berry, W. N.
 14th District—Blanchard, L. C.
 35th District—Bonson, Robert.
 28th District—Carney, J. L.
 3d District—Carroll, B. F.
 39th District—Craig, George M.
 15th District—Druet, Samuel.
 24th District—Ellison, F. O.
 31st District—Ericson, C. J. A.
 36th District—Everall, John.
 47th District—Funk, A. B.

41st District—Gilbertson, G. S.
43d District—Harriman, W. F.
27th District—Healey, Thomas D.
49th District—Hospers, Henry.
17th District—Hotchkiss, N. C.
23d District—Hurst, A.
8th District—Junkin, J. M.
16th District—Kilburn, L. M.
32d District—Lothrop, J. S.
6th District—Mitchell, W. O.
19th District—Pusey, N. M.
25th District—Ranck, C. S.
38th District—Sargent, E. M.
40th District—Trewin, J. H.
33d District—Young, D. H.

The newly-elected Senators appeared at the bar of the Senate and took and subscribed to the following oath:

We do solemnly swear to support the Constitution of the United States and the Constitution of the State of Iowa, and that we will faithfully discharge the duties of Senators to the best of our ability.

Senator Waterman moved that the Senate proceed to the election of permanent officers.

Carried.

Senator Waterman nominated W. E. Bullard, of Wright county, for Secretary.

On roll call those voting for Mr. Bullard were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Trewin, Upton, Waterman, Young—45.

Absent or not voting:

Senators Allyn, Byers, Hobart, Riggen, Sargent—5.

So Mr. Bullard was declared elected Secretary of the Senate.

Senator Waterman nominated Charles H. Talmadge for First Assistant Secretary of the Senate.

Those voting for Mr. Talmadge were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper

Harriman, Healey, Henderson, Hipwell, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Allyn, Byers, Cheshire, Hobart, Hurst, Lehfeldt—6.

Senator Waterman nominated S. H. Sibley, of Marshall county, for Second Assistant Secretary.

Those voting for Mr. Sibley were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

Absent or not voting:

Senators Allyn, Byers, Everall, Hipwell, Hobart, Hurst, Lehfeldt, Ranck—8.

Mr. Sibley was declared elected.

Senator Waterman nominated Mrs. Carrie B. Sherman for Engrossing Clerk.

Those voting for Mrs. Sherman were:

Senators Alexander, Bell, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

Absent or not voting:

Senators Allyn, Berry, Byers, Downey, Everall, Healey, Henderson, Hipwell, Hobart, Hurst, Ranck—11.

Mrs. Sherman was declared elected.

Senator Waterman nominated Miss Capitola Mardis of Clarke county, for Enrolling Clerk.

Those voting for Miss Mardis were:

Senators Alexander, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Druett, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Palmer, Penrose, Perrin,

Phelps, Pusey, Rowen, Trewin, Upton, Waterman, Young—33.

Absent or not voting:

Senators Allyn, Bell, Berry, Byers, Carney, Everall, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Mitchell, Ranck, Rigger, Sargent—17.

So Miss Mardis was declared elected.

Senator Waterman nominated Mrs. Eva Livingston, of Washington county, for Bill Clerk.

Those voting for Mrs. Livingston were:

Senators Alexander, Blanchard, Bonson, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Trewin, Upton, Waterman, Young—36.

The nays were: None.

Absent or not voting:

Senators Allyn, Bell, Berry, Byers, Carroll, Everall, Harper, Healy, Hipwell, Hobart, Hurst, Mitchell, Ranck, Sargent—14.

So Mrs. Livingston was declared elected.

Senator Waterman nominated J. L. Thompson, of Decatur county for File Clerk.

Those voting for Mr. Thompson were:

Senators Alexander, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

Absent or not voting:

Senators Allyn, Bell, Byers, Everall, Hipwell, Hobart, Hurst, Mitchell, Ranck—9.

So Mr. Thompson was declared elected.

Senator Waterman nominated J. B. Satterlee, of Delaware county, for Sargeant-at-Arms.

Those voting for Mr. Satterlee were:

Senators Alexander, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger,

Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

Absent or not voting:

Senators Allyn, Bell, Berry, Byers, Everall, Healy, Hipwell, Hobart, Hurst, Mitchell, Ranck—11.

So Mr. Satterlee was declared elected.

Senator Waterman nominated W. H. McFarland of Woodbury county for Chief Doorkeeper.

Those voting for Mr. McFarland were:

Senators Alexander, Blanchard, Bonson, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healey, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—38.

Absent or not voting:

Senators Allyn, Bell, Berry, Byers, Carney, Carpenter, Everall, Hipwell, Hobart, Hurst, Mitchell, Ranck—12.

Mr. McFarland was declared elected.

Senator Waterman offered the following resolution:

Resolved, That Miss Fannie Beebe of Mitchell county be and is hereby elected Postmistress.

Carried.

Senator Waterman offered the following resolution:

Resolved, That L. E. Hollowell, of Cass county, and G. A. Nichols, of Emmet county, be and are hereby elected Journal Clerks of the Senate and assigned to duty under the Secretary.

Adopted.

Senator Waterman offered the following resolution:

Resolved, That E. N. Brown, of Keokuk county; T. R. Bickley, of Wappello county; P. E. Greer, of Page county; S. A. Moore, of Davis county; Grant Townsend, of Jasper county; C. S. Hubbard, of Pottawattamie county; H. C. Jordan, Humboldt county, and G. W. Smith, of Linn county, be and are hereby elected Assistant Doorkeepers, and assigned to duty under the direction of the Chief Doorkeeper.

Adopted.

Senator Waterman offered the following resolution:

Resolved, That Jeff Logan, of Polk county, and J. W. Thompson, of Lee county, be and are hereby elected Janitors of the cloak room; and George Burnaugh, of Polk county, as Janitor of the toilet room.

Adopted.

Senator Upton offered the following resolution:

Resolved, That the Secretary of the Senate, Sergeant-at-Arms and the Chief Doorkeeper each be entitled to name a page, in addition to those appointed for the Senate-at-Large.

Senator Penrose moved the adoption of the resolution.

Senator Waterman moved the resolution be laid on the table.

Carried.

Senator Perrin offered the following resolution:

Resolved, That a committee of three be appointed by the Senate to confer with a committee of the House in relation to the appointment of mail carrier.

Senator Harper moved the adoption of the resolution.

Carried.

The president announced as such committee Senators Perrin, Kilburn and Everall.

Senator Funk offered the following resolution:

Resolved, That a standing committee of the Senate, to be known as the Building and Loan Committee, be and is hereby created and that said committee shall consist of nine (9) members.

Senator Garst moved the resolution be adopted.

Carried.

Senator Junkin offered the following report and concurrent resolution:

CONCURRENT RESOLUTION.

To the Senate and House of Representatives of the Twenty-sixth General Assembly:

We, the undersigned, members of the committee on arrangements, appointed by a conference of both branches of the general assembly, beg leave to report that the funeral of the Hon. George G. Wright will take place at 2 o'clock P. M. of January 13, 1896, at his late residence on Pleasant street, and we recommend that both houses of the general assembly use all diligence and dispatch in effecting organization, and when it is accomplished, that in token of their respect and appreciation of the life and public service of the lamented deceased, they adjourn to 10 o'clock of Tuesday, January 14, and we recommend that the members attend the funeral in a body.

[Signed.]

J. M. JUNKIN,
JULIAN PHELPS,
D. J. PALMER,
C. G. HIPWELL,
A. HURST,
WM. B. PERRIN,
W. H. BERRY,

Senate Committee.

M. L. TEMPLE,
W. S. ALLYN,
W. B. MARTIN,
W. B. HURST,
H. O. WEAVER,
J. H. FUNK,
House Committee.

Senator Harper moved the adoption of the resolution.
Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

Representatives Martin and McArthur appeared and informed the Senate that the House was organized and ready to receive any communication the Senate had.

Senator Perrin offered the following resolution:

Resolved, That there be a committee of the Senate to be known as the Code Revision Committee, appointed by the President of the Senate.

Objection being made the resolution was laid over until Tuesday.

Senator Penrose offered the following resolution:

Resolved, That the rules of the Senate of the Twenty-fifth General Assembly be in force and effect until the report of the Standing Committee on Rules shall have been adopted.

Adopted.

The following permanent officers of the Senate, elected, appeared before the bar of the Senate and were sworn in:

Will E. Bullard, secretary; C. H. Talmadge, first assistant secretary; S. H. Sibley, second assistant secretary; G. A. Nichols, journal clerk; L. E. Hallowell, journal clerk; J. B. Satterlee, sergeant-at-arms; W. H. McFarlane, doorkeeper; J. L. Thompson, file clerk; George Burnaugh, janitor of toilet room; J. W. Thompson, janitor of cloak room; Jeff Logan, janitor of cloak room; H. C. Jordan, S. H. Moore, C. L. Hubbard, P. E. Greer, Elwyn Brown, Grant Townsend and G. W. Smith, assistant doorkeepers.

□ Senator Kilburn moved that a committee of three be appointed to notify the House that the Senate is permanently organized and ready to receive any communication it may have to make.

Carried.

The committee was announced as follows: Senators Kilburn, Hipwell and Trewin.

Senator Trewin offered the following resolution:

JOINT RESOLUTION NO. 1.

Be it resolved, By the Twenty-sixth General Assembly, that the Secretary of Senate and Chief Clerk of the House be instructed to purchase for the President, the Secretary of the Senate and each senator, the Speaker and Chief Clerk and each member of the House, a copy of McClain's or Miller's code, at option of person entitled thereto.

Senator Cheshire moved the resolution be adopted.

Senator Waterman moved to amend by excepting every person who was a member of the Twenty-Fifth General Assembly, and has the copy he received then.

The committee appointed to notify the House of the permanent organization of the Senate reported that the House had adjourned.

The amendment by Senator Waterman was lost.

The roll was called on the resolution.

Those voting aye were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—44.

The nays were:

Senator Waterman—1.

Absent or not voting:

Senators Allyn, Byers, Hobart, Kilburn, Mitchell—5.

So the resolution was adopted.

Senator Ellis presented the following

CONCURRENT RESOLUTION.

The members of this legislature have learned with profound sorrow of the death of Hon. George G. Wright, who departed this life on the 10th day of January, in the year of our Lord, 1896.

The exalted character and long and continuous public services of the deceased appropriately and pre-eminently demand the highest public recognition.

No one of the illustrious men who have contributed to mold and fashion the destiny of this great State has left a deeper impress upon our noble institutions, or had a larger place in the affections and hearts of her people.

While his noble examples will inspire other men and other generations to strive to emulate them, and to the performance of noble deeds for the benefit of mankind, his place can never be filled.

As a jurist and Judge of the Supreme Court of the State of Iowa he has left in his written opinions volumes of law and authority that will remain an eloquent tribute and monument to his legal acumen, erudition, and love of justice and equity that will endure as long as this republic endures or Christian civilization exalts and blesses mankind. Occupying this high position, in the meridian of life or before his sun had reached its zenith, the people of Iowa again manifested their appreciation of his transcendent ability and unswerving integrity by bestowing upon him the highest position in state and national government that the commonwealth could confer, and his career as United States Senator eminently vindicated the wisdom of their preference and their choice.

Socially, and as a universal friend of the people in all the walks of life, with almost fraternal and paternal kindness, he won the hearts of acquaintances and associates, and in all the relations of life that cluster around the fireside and home he embodied everything that makes the idolized husband and father.

Resolved, That we tender to the bereaved family of the departed statesman and jurist our sympathy and condolence; that these resolutions be spread upon the Journals of the Senate and House, and that enrolled copies of the same be sent to the widow of the deceased.

Resolved, That as a further manifestation of our great respect that the Senate do now adjourn to 10 o'clock A. M. January 14, 1896, to participate in the last sad rites and ceremonies.

L. A. ELLIS,
A. B. FUNK,
THOS. A. CHESHIRE,
T. G. HARPER,
JOHN EVERALL,
W. O. MITCHELL,
Senate Committee.

H. O. WEAVER,
W. S. ALLYN,
J. A. FUNK,
O. A. BYINGTON,
W. B. MARTIN,
House Committee.

Adopted by rising vote.

Senate adjourned to 10 A. M. Tuesday.

SENATE CHAMBER,
DES MOINES, Tuesday, January 14, 1896. }

Senate met pursuant to adjournment and was called to order by President Dungan at 10 o'clock A. M.

Prayer was offered by Father Nugent.

Senator Garst moved that the President appoint a committee to notify the Governor that the Senate is duly organized and ready to receive communications.

The President appointed the following senators as a committee to notify the governor that the Senate was duly organized and ready to receive communications:

Senators Garst, Downey and Eaton.

Senator Cheshire presented the following resolution:

Resolved, That George N. Cleggett be authorized to place a barber's chair in the cloak room of the Senate, at his own expense, for the convenience of the senators, officers and employes of the Senate.

Adopted.

Senator Waterman offered the following resolution:

Resolved, That the Secretary of the Senate is hereby authorized to assign seats to the newspaper reporters in the press gallery.

Adopted.

Senator Ellison offered the following resolution:

Resolved, That a committee of three be appointed by the Chair to notify the House of Representatives that the Senate is ready to meet in joint session at 2 o'clock P. M., January 14, 1896, for the purpose of canvassing the vote for Governor and Lieutenant-Governor.

Adopted.

The President appointed as such committee Senators Ellison, Hipwell and Penrose.

The committee appointed to notify the House of the Senate organization report the duty performed, and the committee was discharged.

The committee to notify the governor that the Senate was permanently organized and ready to receive any message he might desire to communicate, made its report and was discharged.

Senator Cheshire offered the following

CONCURRENT RESOLUTION RELATIVE TO INAUGURATION:

Resolved, By the Senate, the House concurring, That the president of the Senate appoint a committee of five to act in concert with a like committee from the House, to make suitable arrangements for the inauguration of the Governor and Lieutenant-Governor.

Adopted.

The President appointed as such committee:

Senators Cheshire, Waterman, Hurst, Ellis and Harper.

Senator Trewin offered the following

CONCURRENT RESOLUTION RELATIVE TO CODE:

Resolved, By the Senate, the House concurring, That the Secretary of State be and is hereby directed to distribute to each of the members of this General Assembly three copies of the report of the Code Commissioners and three copies of the Code, as reported by the Commissioners.

Adopted.

The Governor's Private Secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, January 14, 1896 }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body a message in writing.

W. S. RICHARDS,
Private Secretary.

Senator Waterman moved that the message be read.

Carried.

Senator Waterman moved the suspension of further reading of the message.

Carried.

Senator Penrose offered the following

CONCURRENT RESOLUTION RELATIVE TO CHAPLAINS:

Resolved by the Senate, the House concurring, That the clergymen of the state be invited to act as chaplains of the Senate and House of Representatives, respectively, in such order as may be agreed upon: and that a joint committee, consisting of three Senators and three Representatives be appointed by their respective presiding officers to co-operate with said clergymen in making suitable arrangements for such service.

Adopted.

The President appointed the following Senators as members of such Chaplain Committee: Senators Penrose, Mitchell and Ranck.

The following officers appeared at the bar and took the oath of office:

Miss Fannie Beebe, postmistress; Miss Capitola Mardis, enrolling clerk; T. R. Bickley, assistant door-keeper.

Senator Cheshire introduced the following:

JOINT RESOLUTION NO. 2.

Be it Resolved by the General Assembly of the State of Iowa, That the Secretary of State be directed to furnish suitable stationery for the use of the Senate and House.

Those voting in favor of the resolution were:

Messrs. Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harri-man, Healey, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

Absent or not voting:

Messrs. Byers, Carpenter, Craig, Gilbertson, Gorrell, Henderson, Hobart, Kilburn, Lehfelddt—8.

Motion made by Senator Penrose that the President of the Senate appoint a committee of three on mileage.

Carried.

The President appointed following Senators as members of such committee:

Senators Penrose, Berry and Bonson.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolved by the House, the Senate concurring, That if the qualifications of all the applicants for mail carrier be equal, the preference should be given to an ex-union soldier.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolved by the House, the Senate concurring, That the Speaker be requested to appoint a committee of five from the House to act with a like committee from the Senate in perfecting arrangements for inauguration.

JAMES D. ROWEN,
Chief Clerk.

Senator Waterman moved that the Governor's annual message be placed on file and printed.

Senator Ellis made a motion that the code resolution of Senator Perrin be taken up for consideration.

Carried.

The following is the code resolution by Senator Perrin:

Resolved, That there be a committee of the Senate to be known as the Code Revision Committee, to be appointed by the President of the Senate.

Senator Ellis moved as an amendment to the resolution offered by Senator Perrin the following:

WHEREAS, The consideration of the report of the Code Commission imposes extraordinary duties upon the General Assembly, therefore to facilitate the discharge of such duties be it

Resolved, By the Senate, the House concurring, That there be appointed by the presiding officer of the respective Houses constituting this General Assembly, a committee consisting of fifteen members from the Senate and twenty-five members from the House, to be known as the Code Revision Committee, to which shall be referred a report of the Code Commission. Said committee shall sub-divide said report and assign the different parts and titles thereof to the proper standing committees of the House and Senate, and shall duly report such assignment to the House and Senate respectively, which bodies shall have and retain the power to refer, for consideration, to any of the standing committees or the Code Revision Committee any bills introduced or any parts of the report of the Code Commission.

Senator Berry offered the following substitute for amendment of Senator Ellis:

Resolved, That a committee of fifteen be appointed by the chair, to be known as the Code Committee, whose duty shall be:

First.—To recommend to the Senate the assignment of the different parts of the Code of Iowa as reported to the General Assembly by the Code Commission to the several standing committees, except titles 17 and 18.

Second.—To have charge of titles 17 and 18 of the code as reported by the Code Commission, and to which shall be referred all matters introduced, which shall relate to the subjects of said titles 17 and 18.

Third.—Such other matters as may be referred to it by the Senate.

Senator Cheshire made a motion that the various resolutions and amendments relative to the appointment of a Code Revision Committee be laid over until to-morrow, and that said resolutions and amendments be printed.

Senator Trewin offered the following amendment to Senator Cheshire's motion:

"As an amendment I move that the resolutions and amendments relative to the Code Revision Committee be referred to a committee of seven, to report to the Senate to-morrow a plan for the consideration of the report of the Code Commission."

The amendment was accepted by Senator Cheshire.

Carried.

The President appointed the following Senators as members of the Committee on Code Commission:

Senators Trewin, Ellis, Berry, Pusey, Harper, Blanchard and Junkin.

MESSAGE FROM THE HOUSE.

A committee from the House announces that that body would be in readiness to meet in Joint Convention at 2 P. M. to canvass the vote for Governor and Lieutenant-Governor.

The message from the House on inauguration was taken up and concurred in.

The Senate also concurred in the House resolution relative to the appointment of a mail carrier.

Yesterday's Journal was taken up, read, corrected, and approved.

Moved by Senator Harper, that the Senate do now adjourn to meet at 2 o'clock P. M.

Carried.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock.

Senator Byers of the Fourth district appeared at the bar of the Senate and subscribed to and took the oath of office.

MESSAGE FROM THE HOUSE.

A committee from the House appeared and notified the Senate that the House was ready to receive the Senate in joint session.

The president appointed Senator Eaton as teller on the part of the Senate in Joint Convention.

The time having arrived to go into Joint Convention the President directed the Sergeant-at-Arms to draw up Senators in line to accompany him to the Hall of Representatives.

JOINT CONVENTION.

Lieutenant-Governor Dungan, president of the Senate, called the Joint Convention to order.

The roll was then called and the following members of the Twenty-sixth General Assembly answered to their names:

Messrs. Alexander, Allen of Van Buren, Allyn of Ringgold, Bailey, Baker, Bell of Jefferson, Bell of Washington, Berry, Bird, Blanchard, Bonson, Bowen, Brady, Brighton, Byers of Lucas, Byers of Shelby, Byington, Carney, Carroll, Cheshire, Clark, Classon, Cook, Cornwall, Craig, Crow, Davis, Doubleday, Dowell, Downey, Druet, Early, Eaton, Edwards, Ellis, Ellison, Ericson, Evans, Everall, Finch, Frazee, Frink, Funk of Dickinson, Funk of Hardin, Garner, Garst, Gilbertson, Good, Griswold, Grote, Gurley, Harper, Harriman, Haugen, Hauger, Hazen, Healey, Hendershot, Henderson, Hinkhouse, Hinman, Hipwell, Hospers, Hotchkiss, Hunt, Huntley, Hurst, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Junkin, Kilburn, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lothrop, Lowry, McAchran, McArthur, McClelland, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merrell, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mitchell, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Penrose, Perrin, Perrott, Phelps, Porter, Potter, Power, Prentis, Pusey, Putnam, Ranck, Ray, Reed, Rigger, Rowen, Sargent, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Trewin, Upton, Van Houten, Voelker, Waterman, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Young—141.

Those not present were:

Messrs. Brinton, Carpenter, Chapman, Gorrell, Hobart, Lehfeldt, Nietert, Palmer, Weaver—9.

It was declared by the President of the Joint Convention that a majority of each House of the General Assembly was present.

Senator Eaton was selected as teller on behalf of the Senate and Representative Merriam as teller for the House.

The Speaker then opened the returns in the presence of the Joint Convention, which then proceeded to canvass the vote cast for Governor and Lieutenant-Governor of the State of Iowa, at the election in November, 1895.

Senator Carroll moved to take a recess till 4:30 p. m.

Carried.

The Joint Convention re-assembled at 4:30 P. M.

The tellers reported and the President of the Convention announced the vote, in its presence, as follows:

For Governor:

Whole number of votes cast.....	401,354
Francis Marion Drake	208,714
W. I. Babb.....	149,428
S. B. Crane	32,189
Francis Bacon.....	11,014
Scattering.....	9

Whereupon F. M. Drake was declared duly elected Governor of Iowa for the ensuing term.

For Lieutenant-Governor:

Whole number of votes cast.....	398,985
Matt Parrott	211,204
Samuel L. Bestow.....	145,789
A. R. Starrett.....	31,760
M. W. Atwood	10,222
Scattering.....	10

Matt Parrott was declared duly elected Lieutenant-Governor for the ensuing term.

Lieutenant-Governor Dungan, President of the Joint Convention, then directed that the abstracts of votes be filed with the Secretary of State.

The following certificates were then duly signed in the presence of the Joint Convention:

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Tuesday, January 14, 1896. }

This is to certify that upon a canvass in Joint Convention of the two Houses of the General Assembly of the State of Iowa of the votes cast at the November election, A. D. 1895, for the office of Governor of the State of Iowa, it appeared that Francis Marion Drake received the highest number of all the votes cast for any one candidate at said election for said office, and was therefore declared duly elected to said office for the term of two years, and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 14th day of January, A. D. 1896.

WARREN S. DUNGAN,

President of the Senate and President of the Joint Convention.

H. W. BYERS,

ATTEST:

Speaker of the House of Representatives.

WILLIAM EATON, *Teller of the Senate.*

FRANK F. MERRIAM, *Teller of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Tuesday, January 14, 1896. }

This is to certify that upon a canvass in Joint Convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the November election, A. D. 1895, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Matt Parrott received the highest number of all the votes cast for any one candidate at said election for said office, and was, therefore, declared duly elected to said office for the term of two years, and until his successor is duly elected and qualified.

Signed in the presence of the joint convention, this 14th day of January, A. D. 1896.

WARREN S. DUNGAN,
President of the Senate, and President of the Joint Convention.

H. W. BYERS.
Speaker of the House of Representatives.

ATTEST:

WILLIAM EATON, *Teller of the Senate.*

FRANK F. MERRIAM, *Teller of the House.*

Senator Harper of Des Moines moved a committee be appointed to notify the Governor and Lieutenant Governor-elect of their election.

Carried.

The Chair appointed on such committee Messrs. Harper, Porter and Temple.

The Journal of the Joint Convention was read and corrected.

On motion of Senator Blanchard the Joint Convention dissolved.

Senate returns from Joint Convention.

On suggestion of the President, John Blair and John Blackburn appeared at the bar of the Senate and were sworn in and subscribed to the oath of temporary pages.

Senator Kilburn moved that the Senate adjourn till 10 o'clock A. M. to-morrow.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, January 15, 1896. }

Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. M. Crocker, Chaplain of the Anamosa penitentiary.

Senator Carney offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION

Resolved by the Senate, the House Concurring, That the people of Iowa by their Senators and Representatives in Legislature assembled express their great abhorrence at the atrocities committed by the Sultan of Turkey upon the helpless people of Armenia.

Resolved, That the so-called government of Turkey is no longer fit to endure or to hold the attributes of sovereignty, and the blood of its victims cries for vengeance.

Resolved, That the government of the United States, by its State Department, is requested to use all efforts which can be put forth, consistent with the peaceable relations we hold to the nations of the world, to stop the further sacrifice by the Turk of his victims, and to give all possible aid and assistance to the survivors, regardless of nationality.

Resolved, That a properly engrossed copy of these resolutions be forwarded by the Secretary of State to each of the Senators and Representatives from Iowa in Congress and to our Minister in Turkey.

Seconded by Senator Rowen.

Objection by Senator Kilburn, and resolution goes over under the rules.

Senator Henderson offered the following resolution:

Resolved, That the Custodian be requested to furnish badges to the Sergeant-at-Arms, Doorkeeper and Pages.

Adopted.

Senator Cheshire, Chairman of the Committee on Inauguration, presents the following report and moves its adoption:

MR. PRESIDENT—Your committee appointed by concurrent resolution on inauguration, makes the following report:

The inaugural ceremonies will be held in the rotunda of the Capitol at 2:30 P. M., Thursday, January 16, 1896. The military escort will receive the Governor, Lieutenant-Governor and party at the Savery hotel, at 1:30 P. M., and proceed to the Capitol building, where the military will open order, and the Governor, Lieutenant-Governor and party will pass through the south door at the east entrance to the stage erected in the rotunda, and will there be seated.

The Senate will assemble in the Senate Chamber and the House in the Representative Hall at 2:15 P. M., and will then proceed to the rotunda and take seats.

PROGRAM.

Music—Des Moines Union Band.

Invocation—Rev. H. O. Breeden.

Music—Drake University Glee Club.

Administration of Oath—Chief Justice Rothrock.

Inaugural Address—Governor Francis M. Drake.

Music—Des Moines Union Band.

The joint convention of the Senate and House will then be dissolved. The Capitol building will then be open from 8 till 10 o'clock P. M., and an informal reception will be held by the Governor, Lieutenant-Governor and Speaker of the House in the rooms of the Executive.

The ceremonies of the inauguration will be held under the direction and control of Adjutant-General Prime. The public will be admitted to the Capitol building at all doors except the south entrance and the south door at the east front. No tickets will be required for admission.

The stage and rotunda will be decorated by Custodian Metzger and his assistants.

We further report that we have authorized the Adjutant-General to provide as a military escort the two Des Moines companies of the National Guard, and any other companies of the National Guard that may be present in Des Moines on the day of inauguration; also the commissioned officers of the National Guard. We have also authorized the Adjutant-General to provide such carriages as may be necessary for the use of the Governor, Lieutenant-Governor, and Ex-Governors of the State party.

We have authorized Custodian Metzger to procure the necessary floral decorations for the occasion.

We request that the Assistant Door-Keepers be required to report to Custodian Metzger at 1 o'clock P. M., and be under his direction during the ceremonies of inauguration.

THOMAS A. CHESHIRE,
Chairman of the Senate Committee.
J. F. REED,
Chairman of the House Committee.

Adopted.

Senator Trewin, from the Committee on Plan for Consideration of Code Commissioners Report, presented the following report:

Your committee appointed to devise a plan for the consideration of the report of the Code Commission, and to whom was referred the resolution upon that subject introduced by the Senator from Chickasaw, and the amendments thereto offered by the Senators from Clinton and Warren, beg leave to submit the following partial report:

We have given the matter due consideration and recommend the adoption of the following as a substitute for the resolution and amendments referred to us:

RESOLUTION ON CODE REVISION.

Be it resolved by the Senate, That there is hereby created a standing committee of fifteen (15) members to continue during the Twenty-sixth General Assembly, and to be known as the Code Revision Committee, and to which shall be referred the report of the Code Commission.

Said committee shall sub-divide said report and assign different parts and titles thereof to the proper standing committees of the Senate, and shall duly report such assignments to the Senate, which body shall retain the power to refer to the regular standing committees or the Code Revision Committee any bills introduced, or any parts of the report of the Code Commission. Said Code Revision Committee may confer with any like committee of the House, and may concur in reports to the respective bodies. The committee asked and was granted further time as to the other matter.

Respectfully submitted,

J. H. TREWIN,
LYMAN ELLIS,
W. H. BERRY,
N. M. PUSEY,
T. G. HARPER,
L. C. BLANCHARD,
J. M. JUNKIN,
Committee.

Senator Carroll moved its adoption.

Adopted.

Mrs. Eva Livingston appeared at the bar of the Senate and was sworn in and subscribed to the oath of office.

The Journal of yesterday was read, corrected and approved.

Senator Upton offered the following resolution and moved its adoption.

Resolved, That the Custodian be instructed to have the windows in the room of the Senate Chamber darkened at the bottom and the light admitted from the top.

Adopted.

MESSAGES FROM THE GOVERNOR.

Private Secretary Richards appeared and presented the following messages from the Governor:

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 15, 1896. }

MR. PRESIDENT . I am directed by the Governor to transmit to your honorable body notice of appointments of certain officers.

W. S. RICHARDS,
Private Secretary.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 15, 1896. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body notification of vacancies existing in the Board of Trustees of State Institutions.

W. S. RICHARDS,
Private Secretary.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 15, 1896. }

To the Senate:

I herewith transmit to you notification of a vacancy existing in the Board of Trustees of the State Industrial Schools, caused by the death of Thomas Mitchell, elected for the term ending April 12, 1900, and temporarily filled by the appointment of M. H. Davis. Also of a vacancy existing in the Board of Trustees of the College for the Blind, caused by the resignation of Thomas Bell, elected for the term ending April 12, 1896, which are required to be filled by the General Assembly.

FRANK D. JACKSON.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 15, 1896. }

To the General Assembly:

In accordance with the statutes I herewith transmit to you notification of the following appointments made, subject to the approval of the Senate: John W. Morton, appointed commissioner of Iowa Soldier's Home, January 7, 1896, to fill the vacancy occasioned by the resignation of J. R. Ratekin, appointed for the term ending April 30, 1898; also Levi B. Raymond, appointed Commissioner of the Iowa Soldiers' Home, January 13, 1896, to fill the vacancy occasioned by the resignation of N. A. Merrell, appointed for the term ending April 30, 1896.

FRANK D. JACKSON.

On motion of Senator Harriman the Senate adjourned until 1:45 P. M.

AFTERNOON SESSION.

Senate met at 1:45 o'clock pursuant to adjournment, President Dungan presiding.

Temporary Pages appeared at the bar of the Senate and were sworn in and subscribed to the oath of office as follows:

Charles Rowen, Frank Judd, Donald Douglas, Bennie Hitz, Roscoe Richards, Daniel B. Morgan and Charles A. McClure.

MESSAGES FROM THE HOUSE.

Chief Clerk Rowen appeared and presented the following messages:

CONCURRENCE

In relation to appointment of mail carrier, and a

JOINT RESOLUTION

In reference to appointment of visiting committees.

Senator Perrin moved to take up the House messages.

Carried.

House messages were taken up.

Moved by Senator Carroll that the Senate concur with the House resolution relative to the appointment of mail carrier.

Carried.

Moved by Senator Phelps that the Senate concur with House resolution relative to appointment of committees to visit public institutions.

Senator Carroll moved to amend House resolution relative to appointing committees to visit public institutions, by changing the date from February 2 to February 11.

Carried.

Moved by Senator Waterman that the House resolution as amended be referred to a committee consisting of Senators Cheshire, Harper and Carroll.

Carried.

Moved by Senator Waterman that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Carried.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 16, 1896. }

The Senate met at 10 o'clock A. M., pursuant to adjournment, President Dungan in the chair.

Prayer was offered by Rev. B. F. W. Cozier, of Colfax, Iowa.

Senator Carroll introduced and moved the adoption of the following

CONCURRENT RESOLUTION RELATIVE TO CUBA.

Resolved, by the Senate, the House concurring, That the people of Iowa, through their Senators and Representatives, in Legislature assembled, extend to the people of Cuba their sympathy in the efforts now being made by the people of that country to free themselves from Spanish domination and to establish their independence.

Resolved, That it is the sense of the people of this State, expressed through their Legislators, that the United States Government should recognize the Cuban insurgents as belligerents as soon as conditions will justify such recognition.

Resolved, That copies of these resolutions be forwarded by the Secretary of State to each of our United States Senators and Representatives in Congress.

On objection by Senator Blanchard, the resolution went over under the rules.

Senator Cheshire, Chairman of the Committee on Concurrent Resolution, relative to appointment of visiting committees, submitted and moved the adoption of the following report as a substitute for the House concurrent resolution relative to the same:

MR. PRESIDENT—Your committee to whom was referred the concurrent resolution relating to visiting committees to State institutions, have had the same under consideration, and make the following report: That the said concurrent resolution shall be amended so as to read as follows and when so amended, that it do pass:

Resolved, by the House, the Senate concurring, That there be appointed committees, consisting of one member of the Senate and two members of the House, to visit the several State institutions, and the Benedict Home, one of such committees for each of said institutions. Said committees to report to the General Assembly, on or before February 5, 1896. Said committees shall investigate and report as follows, to-wit:

First.—Whether the appropriations made by the Twenty-fifth General Assembly have been wisely and economically expended for the objects for which they were appropriated.

Second.—Whether any indebtedness has been contracted in excess of the appropriations, and if so, how much and for what purpose.

Third.—Said committee shall make a thorough investigation of the conditions and needs of said institutions and Home, as to the necessity for new buildings or repairs.

Fourth.—Whether there has been any diversion of any money from the specific purpose for which it was appropriated.

Fifth.—Whether the law relating to the drawing of money from the State Treasury has been complied with.

Sixth.—Said committee shall report a complete list of employes of each institution and said Home, with their compensation, including any other compensation in addition to their salaries and make recommendations in regard thereto.

Seventh.—That such committee shall have power to examine any persons under oath and send for and compel the production of books and papers if deemed necessary.

Eighth.—That no member be placed upon a committee for an institution located in the district of such member.

THOS. A. CHESHIRE,
Chairman.

Adopted.

Senator Carney moved to take up the resolution relative to the Armenian troubles.

Carried.

Senator Eaton offered the following substitute for the resolution offered by Senator Carney, and asked that both original and substitute be referred to the Committee on Federal Relations, when appointed.

SUBSTITUTE FOR CONCURRENT RESOLUTION.

Resolved, by the Senate, the House concurring, That the people of Iowa, through the Legislature of the State, deeply deplore the outrages inflicted by Turkey upon the Christian subjects of Armenia, and extend to the Armenians their fullest sympathy, and urge upon the general government the use of all such efforts toward the suppression of Turkish outrages upon the people of Armenia as can be put forth consistent with the relations of our government to the other governments of the world.

Resolved, That it is the further sense of this body that our Congressmen use all proper influence in urging upon Congress all just consideration of this subject.

Resolved, That engrossed copies of this resolution be forwarded by the Secretary of State to the Iowa Delegation in Congress.

Carried and so ordered.

MESSAGE FROM THE GOVERNOR.

The Governor's Private Secretary appeared and delivered the following:

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, IOWA, January 16, 1896. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body his report of the reprieves, commutations and pardons granted and the fines and forfeitures remitted during the biennial term ending with this day; also a report of applications for pardon by persons convicted of the crime of murder in the first degree.

W. S. RICHARDS,
Private Secretary.

Ordered placed on file.

Senator Carney made a motion that the Senate be convened in executive session for the purpose of considering appointments by the Governor, and communicated to this body yesterday.

Senator Blanchard moved that the matter be referred to a committee of three, of which Senator Carney be made chairman.

On motion by Senator Carroll the names of Senators Cheshire and Blanchard were included on the committee.

The motion as amended was adopted by a rising vote.

Senator Carney, Chairman of Committee on Appointments by the Governor to Fill Vacancies, made the following report:

Resolved, That the Senate now take up said appointments in executive session.

Adopted.

The Senate convened in executive session at 11 o'clock A. M.

The Senate arose from executive session at 11:15.

Senator Penrose moved that the Senate do now adjourn until 2:15 P. M.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:15 o'clock. In the absence of the President, Secretary Bullard called the Senate to order and called Senator Junkin to preside.

Senator Garst introduced the following resolution and moved its adoption:

Resolved, That Senator A. B. Funk be and is hereby elected President *pro tem* of the Senate during its present session.

Adopted.

Senator Funk took the chair as President *pro tem*.

The hour having arrived for Joint Convention, the President announced that the Senate would proceed in a body to the rotunda of the Capitol to inaugurate the Governor and Lieutenant-Governor.

JOINT CONVENTION.

Lieutenant-Governor Dungan, President of the Senate, took the Chair as President of the Joint Convention, and called it to order at 2:45 o'clock P. M.

Music by the Des Moines Union Band.

Prayer was offered by Rev. H. O. Breeden.

Music by the Drake University Glee Club.

The oath of office was duly administered in the presence of the Joint Convention to Governor-elect Francis Marion Drake and Lieutenant-Governor-elect Matt Parrott by Chief Justice Rothrock, of the Supreme Court of Iowa.

His Excellency, Francis Marion Drake, then delivered his Inaugural address.

Music by the Des Moines Union Band.

Senator Kilburn moved that the joint convention be now dissolved.

Carried.

The Senate re-convened at 4:15 P. M., Senator Funk presiding.

Senator Penrose moved that a committee of three be appointed to escort the Lieutenant-Governor to the Chair.

Senators Penrose, Everall, and Carney were appointed as such committee.

Lieutenant-Governor Parrott appeared and was presented to the Senate as its President.

Ex-President Dungan then took leave of the Senate with feeling remarks.

The President on assuming the Chair, addressed the Senate as follows:

GENTLEMEN OF THE SENATE: I assume the duties of your presiding officer with a full appreciation of the gravity of the responsibilities resting upon me, and with a deep sense of my unfamiliarity with the science of

parliamentary law. Mistakes may, and undoubtedly will be made, and I ask in advance your generous forbearance as well as your assistance, assuring you all now of my earnest desire to be just and courteous to every member.

The biennial message of the retiring Executive, and the Inaugural address of the new incumbent of the executive office, will suggest many lines on which you will be called upon to pass judgment. I am sure you will give these matters full and just consideration.

In addition to the ordinary legislation of a session, you are called upon to consider the report of the commission provided by the Twenty-fifth General Assembly to revise the Code of Iowa. The completed report is before you, and throws additional as well as very grave responsibilities on you. The preparation and final completion of the work involves a large expenditure to the State, and the value of your labors the future will have to determine. If the passing years demonstrate that you have acted wisely and well the reward will be yours. Stability in our laws is the desideratum to be desired. Haste in the consideration of this report, therefore, should not dominate, but thoroughness rather, and I believe this will be your collective view.

The various State institutions unitedly ask for large appropriations. Close investigation of all these demands should be made, to the end that no injustice be done in either direction, remembering that penuriousness is not always economy, nor an extravagance of expenditure an evidence of public spirit or state pride. Be only as liberal as the known revenues of the State will permit, for, with existing conditions there can be no justification for exceeding them.

Trusting that our relations during the session may be pleasant, and that the work accomplished may meet the commendation of the people of the State, in which we have an abiding faith and pride, I now await your pleasure.

First, I will ask the Secretary to read the list of standing committees and appointments, which, under the rules, I am required to make.

Lieutenant Governor Parrott then furnished the Secretary of the Senate a list of the committee appointments, which were read, and are as follows:

WAYS AND MEANS.

Senator Funk.	Senator Berry.
Senator Perrin.	Senator Ericson.
Senator Palmer.	Senator Hosper.
Senator Penrose.	Senator Lehfeltdt.
Senator Pusey.	Senator Sargent.
Senator Rikken.	Senator Hipwell.
Senator Allyn.	Senator Hurst.
Senator Carroll.	Senator Everall.

JUDICIARY.

Senator Ellis.	Senator Blanchard.
Senator Cheshire.	Senator Mitchell.
Senator Eaton.	Senator Ellison.
Senator Carpenter.	Senator Healy.
Senator Perrin.	Senator Harper.
Senator Phelps.	Senator Rank.
Senator Upton.	Senator Bonson.
Senator Harriman.	

APPROPRIATIONS.

Senator Waterman.
 Senator Garst.
 Senator Phelps.
 Senator Craig
 Senator Gorrell.
 Senator Alexander.
 Senator Kilburn.
 Senator Harriman.

Senator Funk.
 Senator Hotchkiss.
 Senator Gilbertson.
 Senator Druet.
 Senator Everall.
 Senator Downey.
 Senator Hurst.

RAILWAYS.

Senator Penrose.
 Senator Young.
 Senator Palmer.
 Senator Garst.
 Senator Riggen.
 Senator Berry.
 Senator Hobart.

Senator Phelps.
 Senator Upton.
 Senator Bell.
 Senator Byers.
 Senator Ranck.
 Senator Hurst.

CITIES AND TOWNS.

Senator Cheshire.
 Senator Waterman.
 Senator Lothrop.
 Senator Pusey.
 Senator Trewin.
 Senator Blanchard.
 Senator Alexander.

Senator Ellis.
 Senator Carney.
 Senator Ericson.
 Senator Hospers.
 Senator Hipwell.
 Senator Bonson.

SUPPRESSION OF INTEMPERANCE.

Senator Perrin.
 Senator Riggen.
 Senator Carney.
 Senator Gilbertson.
 Senator Palmer.
 Senator Garst.
 Senator Sargent.

Senator Funk.
 Senator Ellis.
 Senator Waterman.
 Senator Hospers.
 Senator Bonson.
 Senator Hipwell.

CONGRESSIONAL AND JUDICIAL DISTRICTS.

Senator Young.
 Senator Eaton.
 Senator Blanchard.
 Senator Upton.
 Senator Hobart.
 Senator Junkin.

Senator Berry.
 Senator Alexander.
 Senator Healy.
 Senator Downey.
 Senator Bonson.

AGRICULTURE.

Senator Palmer.
 Senator Kilburn.
 Senator Henderson.
 Senator Lehfeldt.
 Senator Bell.
 Senator Harriman.

Senator Mitchell.
 Senator Young.
 Senator Hospers.
 Senator Everall.
 Senator Downey.

CONSTITUTIONAL AMENDMENTS AND SUFFRAGE.

Senator Phelps.
 Senator Craig.
 Senator Ellison.
 Senator Rowen.
 Senator Hotchkiss.
 Senator Eaton.

Senator Gorrell.
 Senator Cheshire
 Senator Byers.
 Senator Ranck.
 Senator Harper.

INSURANCE.

Senator Garst.
 Senator Craig.
 Senator Kilburn.
 Senator Rowen.
 Senator Phelps.
 Senator Pusey.

Senator Young.
 Senator Hotchkiss.
 Senator Alexander.
 Senator Harper,
 Senator Everall.

SCHOOLS.

Senator Trewin.
 Senator Phelps.
 Senator Eaton.
 Senator Kilburn.
 Senator Perrin.
 Senator Carney.

Senator Byers.
 Senator Ericson.
 Senator Carroll.
 Senator Everall.
 Senator Ranck.

LABOR.

Senator Kilburn.
 Senator Rowen.
 Senator Byers.
 Senator Druet.
 Senator Healy.

Senator Hotchkiss.
 Senator Carroll.
 Senator Downey.
 Senator Hipwell.

MINES AND MINING.

Senator Carroll.
 Senator Rikken.
 Senator Perrin.
 Senator Cheshire.
 Senator Druet.

Senator Healy.
 Senator Blanchard.
 Senator Hipwell.
 Senator Downey.

BANKS.

Senator Hospers.
 Senator Carney.
 Senator Carpenter.
 Senator Allyn.
 Senator Alexander.

Senator Ellison.
 Senator Pusey.
 Senator Gilbertson.
 Senator Bonson.

SENATORIAL AND REPRESENTATIVE DISTRICTS.

Senator Upton.
 Senator Lothrop.
 Senator Henderson.
 Senator Ellison.
 Senator Byers.

Senator Everall.
 Senator Allyn.
 Senator Carpenter.
 Senator Hurst.

HIGHWAYS.

Senator Harriman.
 Senator Kilburn.
 Senator Palmer.
 Senator Sargent.
 Senator Gorrell.

Senator Henderson.
 Senator Trewin.
 Senator Young.
 Senator Hurst.

PUBLIC HEALTH.

Senator Gorrell.
 Senator Rikken.
 Senator Druet.
 Senator Cheshire.
 Senator Penrose.
 Senator Harriman.

Senator Mitchell.
 Senator Funk.
 Senator Palmer.
 Senator Downey.
 Senator Ranck.

EDUCATIONAL INSTITUTIONS.

Senator Blanchard.
 Senator Garst.
 Senator Hotchkiss.
 Senator Hobart.
 Senator Penrose.

Senator Bell.
 Senator Palmer.
 Senator Ranck.
 Senator Bonson.

MILITARY.

Senator Craig.
 Senator Palmer.
 Senator Kilburn.
 Senator Henderson.
 Senator Riggen.

Senator Hotchkiss.
 Senator Bell.
 Senator Everall.
 Senator Hurst.

PHARMACY.

Senator Riggen.
 Senator Carney.
 Senator Gorrell.
 Senator Pusey.
 Senator Craig.

Senator Byers.
 Senator Ellison.
 Senator Sargent.
 Senator Hurst.

PENITENTIARIES AND PARDONS.

Senator Rowen.
 Senator Junkin.
 Senator Druet.
 Senator Trewin.

Senator Bell.
 Senator Allyn.
 Senator Downey.

PRINTING.

Senator Hotchkiss.
 Senator Funk.
 Senator Rowen.
 Senator Carroll.

Senator Bell.
 Senator Healy.
 Senator Hurst.

FEDERAL RELATIONS.

Senator Pusey.
 Senator Berry.
 Senator Lothrop.
 Senator Waterman.

Senator Blanchard.
 Senator Carpenter.
 Senator Harper.

COMPENSATION PUBLIC OFFICERS.

Senator Hobart.
 Senator Ericson.
 Senator Penrose.
 Senator Gilbertson.

Senator Ellis.
 Senator Ellison.
 Senator Hipwell.

CHARITABLE INSTITUTIONS.

Senator Junkin.
 Senator Allyn.
 Senator Gorrell.
 Senator Penrose.
 Senator Perrin.

Senator Lehfeldt.
 Senator Hobart.
 Senator Sargent.
 Senator Bonson.

ELECTIONS.

Senator Carney.
 Senator Upton.
 Senator Eaton.
 Senator Waterman.

Senator Gilbertson.
 Senator Hospers.
 Senator Harper.

CLAIMS.

Senator Ericson.
 Senator Penrose.
 Senator Hobart.
 Senator Garst.

Senator Allyn.
 Senator Sargent.
 Senator Everall.

COMMERCE.

Senator Ellison.
 Senator Blanchard.
 Senator Hospers.
 Senator Ellis.

Senator Cheshire.
 Senator Lehfeldt.
 Senator Harper.

RETRENCHMENT AND REFORM.

Senator Allyn.
 Senator Perrin.
 Senator Junkin.
 Senator Lehfeldt.

Senator Eaton.
 Senator Mitchell.
 Senator Hurst.

MANUFACTURES.

Senator Druet.
 Senator Ericson.
 Senator Mitchell.

Senator Alexander.
 Senator Hipwell.

PUBLIC BUILDINGS.

Senator Alexander.
 Senator Carroll.
 Senator Young.

Senator Lehfeldt.
 Senator Hurst.

RULES.

Senator Mitchell.
 Senator Phelps.
 Senator Carpenter.

Senator Berry.
 Senator Ranck.

HORTICULTURE AND FORESTRY.

Senator Bell.
 Senator Harriman.
 Senator Gorrell.

Senator Young.
 Senator Lehfeldt.

CORPORATIONS.

Senator Healy.
 Senator Gilbertson.
 Senator Upton.

Senator Ellis.
 Senator Hipwell.

PUBLIC LANDS.

Senator Lothrop.
 Senator Healy.

Senator Funk.

PUBLIC LIBRARIES.

Senator Berry.
 Senator Mitchell.

Senator Harper.

FISH AND GAME.

Senator Henderson.
 Senator Trewin.

Senator Young.

ENGROSSED BILLS.

Senator Byers.
 Senator Hotchkiss.

Senator Bonson.

ENROLLED BILLS.

Senator Gilbertson.
Senator Carroll.

Senator Ranck.

The additional committees ordered this session:

REVISION OF CODE.

Senator Carpenter.
Senator Trewin.
Senator Pusey.
Senator Craig.
Senator Carney.
Senator Berry.
Senator Lothrop.
Senator Junkin.

Senator Hobart.
Senator Funk.
Senator Gilbertson.
Senator Waterman.
Senator Rowen.
Senator Ranck.
Senator Harper.

BUILDING AND LOAN ASSOCIATIONS.

Senator Eaton.
Senator Lothrop.
Senator Cheshire.
Senator Ericson.
Senator Junkin.
Senator Funk.

Senator Waterman.
Senator Rowen.
Senator Ellis.
Senator Sargent.
Senator Downey.

APPOINTMENTS

Lieutenant-Governor's Page.—Edward Murphy, Benton County.

Senate Pages.—Cecil Dixon, Calhoun County; Charles A. McClure, Butler County; Charles R. Cownie, Iowa County; Frank Judd, Polk County; Donald Douglas, Polk County; Lee Blagburn, Polk County.

Paper Folders.—Mrs. Ella Babcock, Polk County; Kate C. de Haan, Sioux County.

Senator Everall offered the following resolution, which was adopted:

Resolved, That the Senate of the Twenty-Sixth General Assembly extend to the retiring Lieutenant-Governor, our cordial thanks for his courteous and impartial treatment of all members during our temporary organization. We assure him that he takes with him to his home our best wishes and that we express the same by a standing vote.

Senator Carroll offered the following resolution:

WHEREAS, The incoming President of the Senate has, by virtue of his office, a large amount of correspondence, and as his time is taken up with duties of his office requiring his constant attention, therefore be it

Resolved, That the President of the Senate be empowered and is hereby authorized to employ a clerk to act during the session of the Senate.

Resolved, That such clerk shall receive the same per diem, which shall be drawn in the same manner, as now allowed by law for Committee Clerks.

On direction of the President the resolution was laid over until to-morrow.

Senator Waterman moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

SENATE CHAMBER.
DES MOINES, IOWA, Friday, January 17, 1896. }

Senate met in regular session, President Parrott presiding.

Prayer was offered by Rev. W. A. Black, of Des Moines.

Moved by Senator Funk that Charles Rowen, of Wright county, be elected Page of the Senate.

Carried.

The following persons appeared at the bar of the Senate and took the oath of office.

Edward Murphy, Page; Charles A. McClure, Page; Donald Douglas, Page; Frank Judd, Page; Charles Rowen, Page; Lee Blackburn, Page; C. R. Cownie, Page; Mrs. L. L. Babcock, Paper-folder.

INTRODUCTION OF PETITIONS.

Senator Harper presented a petition from the citizens of Des Moines county, relative to the age of consent.

Referred to the Committee on Public Health.

Senator Rikken presented a petition from Keokuk and Poweshiek counties, relative to the age of consent.

Referred to the Committee on Public Health.

Senator Waterman presented a petition from the citizens of Ottumwa, relative to the age of consent.

Referred to the Committee on Public Health.

Senator Mitchell presented a petition from the citizens of Adams and Taylor counties, relative to the age of consent.

Referred to the Committee on Public Health.

Senator Ranck presented a petition from the citizens of Johnson county relative to the age of consent.

Referred to the Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Berry, Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations and regulating the same.

Read first and second times and referred to Committee on Judiciary.

By Senator Blanchard, Senate file No. 2, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service.

Read first and second times and referred to Committee on Appropriations.

By Senator Craig, Senate file No. 3, a bill for an act to amend section 1726, Code of 1873, allowing board of directors to establish kindergarten schools.

Read first and second times and referred to Committee on Schools.

By Senator Funk, Senate file No. 4, a bill for an act for the better protection of fish.

Read first and second times and referred to Committee on Fish and Game.

By Senator Mitchell, Senate file No. 5, a bill for an act to amend chapter 13, title 12, of the Code in relation to the State Library and provide for the extension of the use thereof.

Read first and second times and referred to Committee on Public Libraries.

By Senator Penrose, Senate file No. 6, a bill for an act tendering to the United States jurisdiction over certain Indians residing in Iowa and over their lands, and the privilege of purchasing lands in Tama county for an Indian school.

Read first and second times.

Senator Penrose asked that the bill be now read for the information of the Senate.

Senator Penrose moved that the rules be suspended and that Senate file No. 6 be considered engrossed and read a third time.

Carried.

On the question "Shall the bill pass," the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Upton, Waterman, Young—45.

Absent and not voting:

Senators Everall, Healey, Hobart, Lehfeldt, Trewin—5.

So the bill passed and the title was agreed to.

By Senator Phelps, Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes.

Read first and second times and referred to Committee on Public Health.

By Senator Pusey, Senate file No. 8, a bill for an act to allow the manufacture and sale and shipment at wholesale, by the manufacturer, of spirituous, malt and vinous liquors.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Rowen, Senate file No. 9, a bill for an act to amend section 3861 of the Code as amended by section 1, chapter 114 of the acts of the Twenty-first General Assembly, in relation to offenses against the life and person.

Read first and second times and referred to Committee on Judiciary.

By Senator Waterman, Senate file No. 10, a bill for an act to require the Board of Supervisors in each county to make annual appropriations for the different expenditures, not in excess of the legally authorized revenue, and to avoid liabilities when there are no funds to meet them.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Waterman, Senate file No. 11, a bill for an act authorizing township trustees to procure and control property for public use at the expense of their township.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Ellis, Senate file No. 12, a bill for an act providing for the better protection of logs and lumber lying, or being on any of the waters of this State or bordering on the State.

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 13, a bill for an act providing a substitute for chapter 6 of title 9 of the Code of 1875, for establishing and governing mutual building and loan associations.

Read first and second times and referred to Committee on Building and Loan Associations.

MESSAGE FROM THE HOUSE.

Chief Clerk Rowen appeared with the following message from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate resolution relative to visiting committees.

Also the House has concurred in Senate resolution relative to the purchase of Codes.

JAMES D. ROWEN,
Chief Clerk.

Senator Funk introduced the following resolution and moved its adoption:

Resolved, That the Senators not provided with committee clerks be allowed to appoint one clerk, who shall be clerk for the whole number of said Senators. Said clerk to receive the same per diem as other committee clerks.

Adopted.

Senator Carroll was allowed to withdraw his resolution introduced yesterday, in reference to the appointment of a clerk for the President of the Senate.

REPORT OF JOINT COMMITTEE ON MAIL CARRIER.

Senator Perrin, Chairman of Senate Committee on Selection of Mail Carrier, made the following report:

Your committee appointed by the Senate and House to select mail carrier report that they have had the matter of election of mail carrier under consideration and have selected Henry Cain, of Warren county, for the position of mail carrier for the Twenty-Sixth General Assembly.

WM. B. PERRIN,
Chairman Senate Committee.

W. S. ALLEN,
Chairman House Committee.

Adopted.

Senator Penrose, from the Committee on Mileage, presented the following report:

MR. PRESIDENT—Your Committee on mileage beg leave to report that they find the members of the Senate of the Twenty-sixth General Assembly are entitled to mileage as follows:

NAME.	Miles.	Amount.	NAME.	Miles.	Amount.
Lieut.-Gov. Dungan..	172	\$ 5.60	Harriman.....	250	\$ 12.50
Lieut.-Gov. Parrott..	212	10.60	Healy	170	8.50
Alexander	300	15.00	Henderson.....	220	11.00
Allyn	240	12.00	Hipwell.....	350	17.50
Bell	236	11.80	Hobart	350	17.50
Berry	36	1.80	Hospers	360	18.00
Blanchard	128	6.40	Hotchkiss	44	2.20
Bonson	412	20.60	Hurst.....	416	20.80
Byers.....	214	10.70	Junkin	295	14.75
Carney	110	5.50	Kilburn	276	13.80
Carpenter	314	15.70	Lehfeldt	294	14.70
Carroll	206	10.30	Lothrop	460	23.00
Cheshire			Mitchell	272	13.60
Craig	346	17.30	Palmer	250	12.50
Downey.....	418	20.90	Penrose	184	9.20
Druet.....	128	6.40	Perrin	280	14.00
Eaton.....	390	19.50	Phelps.....	170	8.50
Ellis	450	22.50	Pusey	284	14.20
Ellison.....	352	17.60	Ranck	242	12.10
Ericson	80	4.00	Riggen	180	9.00
Everall	550	27.50	Rowen.....	214	10.70
Funk	400	20.00	Sargent.....	200	10.00
Garst	180	9.00	Trewin	700	35.00
Gilbertson	304	15.20	Upton	538	26.90
Gorrell	70	3.50	Waterman.....	180	9.00
Harper	350	17.50	Young	304	15.20

Respectfully submitted,

E. G. PENROSE,

W. H. BERRY,

ROBERT BONSON,

Committee on Mileage.

Adopted on motion by Senator Craig.

Senator Garst moved that a committee of five be appointed on assignment of committee rooms.

Carried.

The following committee was appointed.

Senators Garst, Funk, Palmer, Waterman and Hurst.

Senator Carroll moved to take up resolution relative to Cuba.

Carried.

Resolution taken up and adopted.

Senator Blanchard moved that the committee clerks now present take the oath of office

Carried.

The following Committee Clerks and Paper-folder appeared at the bar of the Senate and took the oath of office.

A. E. Sunderland, A. R. Gorrell, Harry B. Shaw, J. L. Witmer, J. R. Howard, J. B. Black, J. B. McClure, E. E. Eaton, Eugene D. Hussey, Gail Henderson, Zena Spurrier, Will L. Hall, M. A. Campbell, Kate Dehaan.

The Journal of yesterday was taken up, read, corrected and approved.

The following senators were excused from further attendance:

Senators Rikken, Hotchkiss, Gilberton, Ericson, Allyn and Gorrill, until Monday, January 20th, at 10 o'clock A. M.; Upton and Bonson until Tuesday, January 21st, at 10 o'clock A. M.

Senator Craig moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Senate adjourned.

SENATE CHAMBER.
DES MOINES, IOWA, Saturday, January 18, 1896. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Parrott.

Prayer was offered by Rev. R. C. Moulton, of Des Moines.

The following persons appeared at the bar of the Senate and took the oath of office:

Mable Spafford, Clerk of Committee on Insurance; Frank Armstrong, Clerk of Committee on Retrenchment and Reform; A. L. Druet, Clerk of Committee on Manufacturers; James T. O'Meara, Clerk of Committee on Commerce; Josephine Rowen, Clerk of Committee on Penitentiaries and Pardons; Mrs. Jennie L. Emmet, Clerk of Joint Common Committee; M. E. Trewin, Clerk of Committee on Schools; Jennie D. Carroll, Clerk of Committee on Mines; Robert R. Landon, Clerk of Committee on Constitutional Amendments; G. I. Long, Clerk of Committee on Corporations; Nellie Hotchkiss, Clerk of Committee on Printing; Blanche Hogin, Clerk of Committee on Public Lands; F. W. Bicknell, Clerk of Committee on Elections; Spencer K. Smith, Clerk of Committee on Federal Relations; C. A. Hilton, Clerk of Committee on Railways; E. R. Hutchins, Clerk of Committee on Judiciary.

PETITIONS AND MEMORIALS.

Senator Kilburn presented petition of John C. Hall and forty-four other citizens of Fontanelle in relation to the age of consent.

Referred to Committee on Judiciary.

Senator Junkin presented petition of W. S. Ellis and other citizens of Red Oak in reference to the control and management of building and loan associations.

Referred to Committee on Building and Loan Associations.

Senator Carpenter presented petition and remonstrance of William Cunningham and other citizens of Louisa county protesting against the passage of a bill relating to the manufacture and sale of malt and vinous liquors

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Funk presented petition of ninety-seven citizens of Clay county in reference to juvenile prisoners.

Referred to Committee on Pardons.

Senator Penrose presented petition of citizens of Benton county in reference to age of consent.

Referred to Committee on Public Health.

Senator Henderson presented petition of E. R. Strangland and others of Buena Vista county in reference to age of consent.

Referred to Committee on Judiciary.

Senator Alexander presented petition of Richard Patten and other citizens of Whittier, in reference to age of consent.

Referred to Committee on Judiciary.

Senator Alexander presented petition of George R. Dickinson and other citizens of Cedar Rapids, in reference to age of consent.

Referred to Committee on Judiciary.

Senator Palmer presented petition of A. Duncan and fifty other citizens of Washington, in reference to age of consent.

Referred to Committee on Judiciary.

Senator Sargent presented petition of W. W. Beal and others of Black Hawk county, in reference to passage of age of consent bill.

Referred to Committee on Judiciary.

Senator Palmer presented petition memorial remonstrance of F. A. Druff and others of Washington, in favor of resubmission.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Carroll, Senate file No. 14, a bill for an act to legalize the drawing of grand and petit jurors, where failure to give notice exists.

Read first and second times and referred to Committee on Judiciary.

By Senator Carroll, Senate file No. 15, a bill for an act to revise and amend the election laws.

Read first and second times and referred to Committee on Elections.

By Senator Ellis, Senate file No. 16, a bill for an act to provide for and regulate administration of trusts savings banks and trust companies.

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 17, a bill for an act to amend Chapter 35, of Laws of Twenty-second General Assembly, relating to aliens inheriting.

Read first and second times and referred to Committee on Judiciary.

By Senator Everall, Senate file No. 18, a bill for an act to change the number of directors from six to five in certain independent school districts.

Read first and second times and referred to Committee on Schools.

By Senator Harper, Senate file No. 19, a bill for an act to authorize cities of the first class to lay sidewalks.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Hospers, Senate file No. 20, a bill for an act to repeal Chapter 85, Laws of the Twenty-second General Assembly of the State of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Perrin, by request, Senate file No. 21, a bill for an act requiring purchaser of intoxicating liquors, to be used as a beverage, to obtain a permit.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Phelps, Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county fund and county bridge fund.

Read first and second times and referred to Committee on Judiciary.

By Senator Ranck, Senate file No. 23, a bill for an act to establish a State Board of Embalming.

Read first and second times and referred to Committee on Public Health.

By Senator Rowen, Senate file No. 24, a bill for an act requiring that juvenile and adult prisoners be kept apart.

Read first and second times and referred to Committee on Penitentiaries and Pardons.

By Senator Rowen, Senate file No. 25, a bill for an act to amend section 12, chapter 62, acts of Twenty-fifth General Assembly.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Rowen, Senate file No. 26, a bill for an act to amend section 5479, chapter 15, McClaine's Code.

Read first and second times and referred to Committee on Judiciary.

By Senator Trewin, Senate file No. 27, a bill for an act to pay the widow of Hon. L. O. Hatch, deceased, salary for unexpired term as judge.

Read first and second times and referred to Committee on Claims.

By Senator Carpenter, by request, Senate file No. 28, a bill for an act to amend section 4026, Code of Iowa, relating to testimony in prosecutions for gambling.

Read first and second times and referred to Committee on Judiciary.

JOINT RESOLUTION NO. 3.

Senator Alexander offered the following resolution:

Resolved, by the Senate of the Twenty-sixth General Assembly, That the Custodian of the Capitol be and is hereby authorized to purchase for the Senate 100 camp chairs and 110 for the House.

Senator Trewin amended the resolution by inserting the words "joint resolution," and striking out the words "Senate of."

Amendment accepted.

Senator Trewin then moved that the rules be suspended and the joint resolution be read the third time.

Carried.

On the question, "Shall the resolution pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Everall, Funk, Garst, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Waterman, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carney, Downey, Ericson, Gilbertson, Gorrell, Hobart, Hotchkiss, Kilburn, Lehfeldt, Rikken, Upton—14.

So the joint resolution No. 3, as amended, passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

James D. Rowen, Chief Clerk of the House, appeared with a message stating that the House had concurred in the concurrent resolution relative to the people of Cuba.

RESOLUTION IN REFERENCE TO COMMITTEE OF CONDOLENCE.

Senator Downey offered the following resolution and moved its adoption:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence in the case of the death of Hon. Joseph M. Casey, of Fort Madison, Iowa, a former member of this body, whose death occurred February 9, 1895, and that a copy of said resolutions be mailed by the Secretary to the widow of said diseased ex-member.

Adopted.

CONCURRENT RESOLUTION IN REFERENCE TO ADJOURNMENT.

Senator Funk offered the following concurrent resolution and moved its adoption:

Resolved, by the Senate, the House concurring, That an adjournment of either or both of these bodies may be taken from Thursday, January 23rd, to Tuesday, January 28, 1896.

Adopted.

RESOLUTION IN REFERENCE TO PAPER FOLDER.

Senator Ellison offered the following resolution and moved its adoption:

Resolved, That the Paper Folder of the Senate be assigned to duty in the document rooms at once.

Adopted.

CONCURRENT RESOLUTION IN REFERENCE TO SEMI-CENTENNIAL CELEBRATION.

Senator Carpenter offered the following concurrent resolution, and asked that the same be laid over until Monday:

Resolved, by the Senate, the House or Representatives concurring, That a committee be appointed, consisting of three Senators and four members of the House of Representatives, who shall consider and report a plan for the celebration of the semi-centennial of Iowa and the erection of a memorial, historical and art building.

Laid over under the rules.

ASSIGNMENT OF ROOMS FOR COMMITTEES.

Senator Garst, Chairman of Committee on Assignment of Committee Rooms, presented the following partial report:

The Committee on Assignment of Committee Rooms and Times of Meeting, submits the following partial report:

ROOM 16—Labor, Federal Relations, Retrenchment and Reform.

ROOM 17—Mines and Mining, Building and Loan, Public Lands.

ROOM 18—Suppression of Intemperance, Highways, Horticulture and Forestry.

ROOM 19—Schools, Penitentiaries and Pardons, Constitutional Amendments, Claims.

ROOM 20—Congressional and Judicial Districts, Senatorial and Representation Districts, Manufactories, Public Buildings, Fish and Game.

ROOM 21—Educational Institutions, Commerce, Railways.

ROOM 22—Judiciary, Charitable Institutions, Rules.

ROOM 23—Agriculture, Code Committee, Military.

ROOM 24—Appropriations, Ways and Means, Library.

ROOM 26—Public Health, Pharmacy, Corporations.

ROOM 28—Insurance, Banks, Elections.

ROOM 29—Cities and Towns, Compensation Public Officers, Printing.

We ask for further time in which to make report for the hours of meeting.

WARREN GARST,
Chairman.

Adopted.

Senator Ellis introduced the following resolution and moved its adoption:

Resolved, That an assistant clerk, who is a stenographer, be appointed by the President of the Senate to assist the Clerk of the Judiciary Committee and other committees and Senators when called upon for clerical services.

On objection by Senator Penrose it was laid over under the rules.

The President appointed the following Committee on Memorial of Ex-Senator Joseph M. Casey, deceased, of Lee. Senators Downey, Craig and Harper.

Senator Blanchard granted leave of absence. Senator Ellison excused from further attendance until Tuesday morning.

Journal of yesterday was taken up, read, corrected and approved.

Senator Harper moved that the Senate do now adjourn until Monday, January 20th, at 2 o'clock P. M.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 20, 1896. }

Senate met in regular session at 2 o'clock P. M., and was called to order by President Parrott.

Prayer was offered by Rev. J. C. R. Leighton, of Des Moines.

Senator Hobart appeared at the bar of the Senate and took the oath of office.

The following Clerks and Pages appeared at the bar of the Senate and took the oath of office:

Mary L. Sanborn, Clerk of the Committee on Appropriations.

E. R. Smith, Clerk of the Committee on Horticulture and Forestry.

Cecil Dixon, Page.

PETITIONS AND MEMORIALS.

Senator Harper presented petitions of citizens of Des Moines county relative to age of consent bill.

Referred to Committee on Judiciary.

Senator Carney presented petition of J. R. Ratkin and others in reference to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Kilburn presented petition of E. A. Smith and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Hospers presented petition of A. C. Campbell and others in reference to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Gorrell presented petition of C. V. Cowan and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Henderson presented two petitions of J. C. Fallis and Mrs. M. A. Biggint and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Downey presented petition of citizens of Lee county on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Trewin presented petition of L. S. Hand and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

INTRODUCTION OF BILLS.

By Senator Carney, Senate file No. 29, a bill for an act to regulate primary elections for nomination of candidates by political parties and to punish frauds.

Read first and second times and referred to Committee on Elections.

By Senator Blanchard, Senate file No. 30, a bill for an act to provide for miners' oil inspection and maintain purity thereof.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Carney, Senate file No. 31, a bill for an act providing for the giving of bonds by abstractors of title and for the making of abstracts of title and for their use in evidence.

Read first and second times and referred to Committee on Judiciary.

By Senator Carroll, Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis County, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Carroll, Senate file No. 33, a bill for an act to repeal section 3 of chapter 160 of the laws of the Twelfth General Assembly.

Read first and second times and referred to Committee on Judiciary.

By Senator Craig, by request, Senate file No. 34, a bill for an act to amend section 4 of chapter 47 of the acts of the Sixteenth General Assembly, and also section 5 of chapter 169 of the acts of the Seventeenth General Assembly.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Craig, Senate file No. 35, a bill for an act to provide for suitably marking the lines and positions held by Iowa regiments during the battle of Shiloh and for the erection of monuments.

Read first and second times, and referred to Committee on Military.

By Senator Ericson, Senate file No. 36, a bill for an act making appropriations for the State Agricultural college.

Read first and second times, and referred to the Committee on Appropriations.

By Senator Harper, Senate file No. 37, a bill for an act to amend section 2178 of the Code in relation to the sale of property by carriers for charge.

Read first and second times, and referred to Committee on Judiciary.

By Senator Hipwell, by request, Senate file No. 38, a bill for an act to prevent the adulteration of candy.

Read first and second times and referred to Committee on Public Health.

By Senator Hurst, Senate file No. 39, a bill for an act to release the Asylum for Destitute and Orphan Children at Andrew, Iowa, from indebtedness to the state.

Read first and second times and referred to Committee on Judiciary.

By Senator Kilburn, Senate file No. 40, a bill for an act to provide text books for use of pupils in the public schools, without charge to the same.

Read first and second times and referred to Committee on Schools.

By Senator Kilburn, Senate file No. 41, a bill for an act to authorize mutual insurance associations to re-insure a part of their risks in other mutual companies.

Read first and second times and referred to Committee on Insurance.

By Senator Waterman, Senate file No. 42, a bill for an act to prevent garnishment proceedings against persons for wages, when the same are exempt by the laws of the state.

Read first and second times and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 43, a bill for an act to amend chapter 132, acts of the Twentieth General Assembly.

Read first and second times and referred to Committee on Labor.

By Senator Young, Senate file No. 44, a bill for an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same.

Read first and second times and referred to Committee on Public Lands.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Resolved, by the House, the Senate concurring, That we are opposed to the proposed change in the interstate commerce laws of the United States, for the purpose of allowing the railroads to pool their earnings, believing that such pools, if allowed by law, would result in great injury to the people of the West, and especially to the producing classes. The present low prices of the products of the farms and factories of the West preclude the idea of profit, and we believe that more stringent measures should be adopted for the enforcement of the laws that we now have, rather than any relaxation; and we demand further and, if possible, more effective measures for the protection of the interests of the people in preventing discriminations and rebates.

Resolved, That our Senators in the United States Congress, and our Representatives, be requested to use all honorable means to prevent the passage of any measure that will allow pooling, rebates or discriminations in the transportation of freights or any kind of commerce on the railroads of the United States.

Resolved, That the Secretary of State be and is hereby instructed to send a copy of these resolutions to each of the Senators and Representatives of the State of Iowa in the Congress of the United States.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following concurrent resolution in which the concurrence of the Senate is asked: In reference to adjournment, to strike out the words "Thursday, January 23d, and insert Tuesday evening, January 21."

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Resolved, by the House of Representatives, the Senate concurring, That there be ordered for the use of the members of the House and Senate and for distribution five thousand copies of Governor Drake's Inaugural address.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Be it Resolved by the House, the Senate Concurring, That G. A. West, Mail Carrier of the Twenty-fifth General Assembly, receive pay for three days' work after adjournment, the same being unpaid.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Resolved, by the House of Representatives, the Senate concurring, That a committee be appointed to consist of three Senators and five members of the House of Representatives who shall consider and report a plan for the celebration of the Semi-Centennial of Iowa, and the erection of a Memorial, Historical and Art building.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked, relative to Railroad Commissioners' maps:

Resolved, by the House, the Senate concurring, That the Railroad Commissioners are hereby directed to procure, at the earliest practicable date, 30,000 copies of the Railroad Commissioners' official map of Iowa, and suitable envelopes in which to mail the same, said maps to be disposed of as follows: Twenty thousand copies to be allotted to the State Superintendent of Public Instruction for the use of the public schools, fifty copies to be given to each member of the General Assembly, and the balance to be distributed under the direction of the Railroad Commissioners.

And there is hereby appropriated \$1,875 for the purpose out of any moneys not otherwise appropriated.

JAMES D. ROWEN,
Chief Clerk.

CONCURRENT RESOLUTIONS.

Senator Harriman introduced the following concurrent resolution and asked that it be laid over under the rules:

Resolved, by the Senate, the House concurring, That the Railroad Commissioners are hereby instructed to procure 10,000 copies of the Railroad Commissioners' official map of Iowa, properly enclosed in envelopes suitable for mailing and to furnish each member of the Twenty-sixth General Assembly with forty copies for distribution.

Laid over.

JOINT RESOLUTION NO. 4.

Senator Perrin introduced the following joint resolution and asked that it be printed in the Journal.

Joint resolution agreeing to an amendment to the Constitution of the State of Iowa, prohibiting the manufacture and sale of intoxicating liquors as a beverage within this state.

WHEREAS, The Twenty-fifth General Assembly of the State of Iowa did in due form, by a majority of the members elected to each of the two Houses, agree to a proposed amendment to the Constitution of this state to add as section 26 to article 1 of said Constitution the following: "Section 26. No person shall manufacture for sale, or sell, or keep for sale as a beverage, any intoxicating liquors whatever, including ale, wine and beer. The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof." And the said proposed amendment was entered in the Journals of said House, and was referred to the Legislature to be chosen at the next general election, and the same having been published as provided by law; therefore, be it

Resolved, by the General Assembly of the State of Iowa, That the following amendment to the Constitution of the State of Iowa be and the same is hereby agreed to:

Add as section 26 to article 1 of the said constitution the following:

Section 26. No person shall manufacture for sale, or sell, or keep for sale, as a beverage, any intoxicating liquors whatever, including ale, wine and beer.

The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

Read first and second times and referred to Committee on Constitutional Amendments.

Adopted.

JOINT RESOLUTION NO. 5.

Senator Cheshire introduced the following joint resolution:

Be it Resolved by the General Assembly of the State of Iowa, That all reporters for newspapers, to whom seats have been assigned in the Senate and House, shall be entitled to draw stationery supplies to the amount of \$1 per week during this session, upon the order of the Secretary of the Senate, for those occupying seats in the Senate, and upon the order of the Chief Clerk of the House, for those occupying seats in the House.

Joint resolution No. 5 read first and second time.

Senator Cheshire moved that the rules be suspended and that the bill be read the third time now.

Carried.

On the question, "Shall the resolution pass?" the yeas were: Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were: None

Absent or not voting:

Senators Bonson, Ellis, Ellison, Healy, Hipwell, Kilburn, Lehfelddt, Rikken—8.

So the joint resolution No. 5 was passed and the title agreed to.

JOINT RESOLUTION NO. 6.

Senator Alexander introduced the following joint resolution:

Resolved, by the General Assembly of the State of Iowa, That the custodian of the Capitol be and is hereby directed to purchase for the use of the Bill Clerks of the Senate and House two suitable step-ladders and two tables, and for use in committee rooms twelve small tables.

Joint resolution No. 6 was read first and second time.

Senator Alexander moved that the rules be suspended and that the resolution be read the third time now.

Objected to and laid over under the rules.

Senator Sargent offered the following resolution and moved its adoption.

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence in the case of the death of Hon. J. Morris Rea, of Grundy Center, Iowa, a former member of this body, whose death occurred August 25, 1895, and that a copy of said resolutions be mailed by the Secretary to the widow of the said deceased ex-member.

Adopted.

CONCURRENT RESOLUTION RELATIVE TO FLAGS.

Senator Druet offered the following resolution and moved its adoption:

Resolved, That a committee of three from the Senate be appointed to confer with a like committee of the House to devise some plan for a more suitable and appropriate arrangement for the care and display of the flags now in the custody of the state and to report by bill or otherwise.

Adopted.

LIST OF VISITING COMMITTEES.

The President named the following visiting committees:

Agricultural College, Ames—Senator Perrin.
Benedict Home, Des Moines—Senator Phelps.
College for the Blind, Vinton—Senator Carroll.
Hospital for the Insane, Clarinda—Senator Funk.
Hospital for the Insane, Independence—Senator Hotchkiss.
Hospital for the Insane, Mt. Pleasant—Senator Gorrell.
Industrial Home for the Blind, Knoxville—Senator Kilburn.
Industrial School for Boys, Eldora—Senator Druet.
Industrial School for Girls, Mitchelville—Senator Sargent.
Institution for Feeble Minded Children at Glenwood—Senator Mitchell.
Penitentiary at Anamosa—Senator Riggen.
Penitentiary at Ft. Madison—Senator Byers.
School for the Deaf and Dumb, Council Bluffs—Senator Garst.
Soldier's Home at Marshalltown—Senator Lothrop.
Soldier's Orphans Home at Davenport—Senator Ellis.
State Normal School at Cedar Falls—Senator Harriman.
State Fish Hatchery at Spirit Lake—Senator Rowen.
State University—Senator Waterman.

REPORT OF STANDING COMMITTEE.

Senator Carpenter, from the Committee on Code Revision, presented the following partial report:

To the Senate of the Twenty-sixth General Assembly:

The Committee on Code Revision respectfully recommends the following references of the titles and chapters named in the report of the Code Revision Commissioners:

- TITLE I. To the Code Revision Committee.
- TITLE II. To the Code Revision Committee.
- TITLE IV. To the Code Revision Committee.
- TITLE V. To the Committee on Cities and Towns.
- TITLE VI. To the Committee on Elections.
- TITLE VII. To the Committee on Ways and Means.
- TITLE VIII. To the Committee on Highways.
- TITLE IX. Chapters 1 and 2 to the Committee on Corporations.
- TITLE IX. Chapter 3 to the Committee on Agriculture.
- TITLE IX. Chapters 4, 5, 6, 7 and 8 to the Committee on Insurance.
- TITLE IX. Chapters 9, 10 and 11 to the Committee on Banks.
- TITLE IX. Chapter 12 to the Committee on Building and Loan.
- TITLE X. Chapters 5, 6 and 7 to the Committee on Railways.
- TITLE X. Chapter 8 to the Committee on Corporations.
- TITLE XI. To the Committee on Military.
- TITLE XIII. Chapters 1, 2, 12, 13, 14, 15 and 16 to the Committee on Schools.
- TITLE XIII. Chapters 3, 4 and 5 to the Committee on Educational Institutions.

TITLE XIII. Chapters 6, 7, 8, 9, 10 and 11 to the Committee on Charitable Institutions.

TITLE XIII. Chapters 17 and 18 to the Committee on Public Libraries.

TITLE XVIII. To the Committee on Judiciary.

C. A. CARPENTER,
Chairman.

CODE COMMITTEE BILLS.

By Code Revision Committee, Senate file No. 45, a bill for an act to revise, amend and codify the laws in relation to procedure in courts of original jurisdiction.

Read first and second times and referred to Committee on Judiciary.

Senate file No. 46, a bill for an act to revise, amend and codify the errors in relation to election.

Read first and second times and referred to Committee on Elections.

Senate file No. 47, a bill for an act to revise, amend and codify the laws in relation to revenue.

Read first and second times and referred to Committee on Ways and Means.

Senate file No. 48, a bill for an act to revise, amend and codify the law in relation to roads, bridges and fences.

Read first and second times and referred to Committee on Highways.

Senate file No. 49, a bill for an act to revise, amend and codify the law in relation to corporations.

Read first and second times and referred to Committee on Corporations.

Senate file No. 50, a bill for an act to revise, amend and codify the statutes in relation to certain corporations.

Read first and second times and referred to Committee on Agriculture.

Senate file No. 51, a bill for an act to revise, amend and codify the laws in relation to insurance.

Read first and second times and referred to Committee on Insurance.

Senate file No. 52, a bill for an act to revise, amend and codify the statutes in relation to education.

Read first and second times and referred to Committee on Schools.

Senate file No. 53, a bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions.

Read first and second times and referred to Committee on Banks.

Senate file No. 54, a bill for an act to revise, amend and codify the laws in relation to building and loan associations.

Read first and second times and referred to Committee on Building and Loan.

Senate file No. 55, a bill for an act to revise, amend and codify the laws in relation to railways.

Read first and second times and referred to Committee on Railways.

Senate file No. 56, a bill for an act to revise, amend and codify the laws in relation to telegraph and telephones.

Read first and second times and referred to Committee on Corporations.

Senate file No. 57, a bill for an act to revise, amend and codify the statutes relative to militia.

Read first and second times and referred to Committee on Military.

Senate file No. 58, a bill for an act to revise, amend and codify the laws in relation to city and town government.

Read first and second times and referred to Committee on Cities and Towns.

Senate file No. 59, a bill for an act to revise, amend and codify the laws in relation to State Library and State Horticultural Society.

Read first and second times and referred to Committee on Libraries.

Senate file No. 60, a bill for an act to revise, amend and codify the laws in relation to State University, Agricultural College and Normal School.

Read first and second times and referred to Committee on Schools.

Senate file No. 61, a bill for an act to revise, amend and codify the laws in relation to charitable institutions.

Read first and second times and referred to Committee on Charitable Institutions.

Senate file No. 62, a bill for an act to revise, amend and codify the laws in relation to the executive department.

Read first and second times and referred to Committee on Code Revision.

Senate file No. 63, a bill for an act to revise, amend and codify the laws in relation to township government.

Read first and second times and referred to Committee on Code Revision.

Senate file No. 64, a bill for an act to revise, amend and codify the laws in relation to the State and legislative department.

Read first and second times and referred to Committee on Code Revision.

REPORT OF SPECIAL COMMITTEE.

Senator Downey, from the Committee on Memorial of Judge Joseph M. Casey, presented the following report and moved its adoption:

MR. PRESIDENT—Your committee, appointed to draft resolutions of condolence and respect upon the death of Judge Joseph M. Casey, of Fort Madison, Iowa, respectfully submit the following:

WHEREAS, Hon. Joseph M. Casey, member of the House of Representatives of the Eighteenth General Assembly, and a member of the Senate of the Twenty-first General Assembly, and for more than eight years filling the honorable position of one of the judges of the First Judicial District of Iowa with distinguished honor to his district and vast credit to himself, an honorable example of impartiality, firmness, patience and learning, died at his home February 9, 1895.

WHEREAS, Judge Casey was a man of great and commanding ability and a noble upright man, serving the people in every capacity that his great worth won for him, faithfully and well, dying as he lived, went fearlessly down into the unknown depths of the valley and shadow of death; therefore,

Resolved, That in perpetuation of the memory of his high and generous qualities we pause in our deliberations to enter upon the pages of the Journal our deep sorrow for his death and extend to the bereaved family of the deceased our sympathy and condolence.

Resolved, That the Secretary of the Senate be instructed to transmit to the family of the late Judge Casey an engrossed copy of these resolutions.

JOHN DOWNEY.

GEO. M. CRAIG.

T. G. HARPER.

Adopted by rising vote.

Resolution relative to Semi-Centennial was taken up.

Senator Carpenter moved to amend so that it shall read a committee consisting of three in the Senate and five in the House.

Carried.

Resolution as amended was adopted.

Senator Carpenter made a motion that none of the bills introduced by the Code Revision Committee from the printed report of the Code Commissioners be printed except on the order of the Senate.

Carried.

Senator Cheshire moved that Senator T. G. Harper be added to the Committee on Cities and Towns.

Carried.

HOUSE MESSAGES TAKEN UP.

Senator Craig moved to take up the House messages.

Carried.

The Senate concurred in House message relative to paying Mail Carrier.

The Senate concurred in House resolution relative to appointment of Committee on Semi-Centennial and Memorial Building.

The Senate concurred in House resolution relative to printing 5,000 copies of Governor Drake's Inaugural address.

Senator Harriman moved to amend House resolution relative to adjournment by striking out the word "Tuesday" and insert the word "Wednesday."

Resolution as amended was concurred in.

House resolution relative to the purchase of 30,000 Railroad Commissioners' maps was taken up, discussed and on motion of Senator Trewin the roll was called.

On the question, "Shall the resolution be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Byers, Carney, Cheshire, Craig, Eaton, Ellis, Funk, Gorrell, Henderson, Hobart, Junkin, Kilburn, Lothrop, Palmer, Phelps, Rowen, Sargent, Trewin, Upton, Waterman—23.

The nays were:

Senators Berry, Blanchard, Carpenter, Carroll, Downey, Druet, Ericson, Everall, Garst, Gilbertson, Harper, Harriman, Hipwell, Hospers, Hotchkiss, Hurst, Mitchell, Perrin, Pusey, Ranck, Rigger, Young—22.

Absent or not voting:

Senators Bonson, Ellison, Healey, Lehfeldt, Penrose—5.

Senator Blanchard moved that House resolution in relation to the proposed change in the Inter-state Commerce laws of the United States be referred to the Committee on Federal Relations.

Carried.

The Journal of Saturday was taken up, read, corrected and adopted.

Senator Waterman filed the following motion:

I hereby file a motion to reconsider the vote by which House concurrent resolution in regard to purchase and distribution of maps, was adopted.

H. L. WATERMAN.

The President announced as special committee on the Rea resolution, Senators Sargent, Perrin and Carney.

Senator Garst moved that Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, January 21, 1896. }

The Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. E. W. Curtis, of Des Moines.

J. C. Trainer, Clerk of the Committee on Banking, appeared at the bar of the Senate and took the oath of office.

PETITIONS AND MEMORIALS.

Senator Hospers presented petition of board of supervisors of O'Brien county to have certain lands subject to lien of taxes.

Referred to Committee on Judiciary.

Senator Harper presented petition of Palermon Lacey and forty-seven others relative to the age of consent.

Referred to Committee on Judiciary.

Senator Ranck presented petition of Mrs. Otis Hahn and others relative to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Penrose presented petition of H. L. Bassitt and others in regard to age of consent.

Referred to Committee on Judiciary.

Senator Hotchkiss presented petition of Rev. A. J. Zaiser and 156 others of Audubon County on the same subject.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of M. Dorcher and others on the same subject.

Referred to Committee on Judiciary.

Senator Hobart presented petition of Frank Tyner and others in regard to adulteration of food and drugs.

Referred to Committee on Pharmacy.

Senator Hobart presented petition of William Hale and others on same subject.

Referred to Committee on Pharmacy.

Senator Cheshire presented petition of Blanche Sokal and others in regard to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

INTRODUCTION OF BILLS.

By Senator Blanchard, Senate file No. 65, a bill for an act to prevent combination between fire insurance companies and providing penalties therefor.

Read first and second times and referred to Committee on Insurance.

By Senator Druet, Senate file No. 66, a bill for an act to prevent blindness and for the care of infants afflicted by the same.

Read first and second times and referred to Committee on Public Health.

By Senator Eaton, Senate file No. 67, a bill for an act to regulate the taxing of costs in certain criminal cases, read first and second times and referred to Committee on Judiciary.

By Senator Gorrell, Senate file No. 68, a bill for an act relative to trimming hedges and keeping down noxious weeds in highways.

Read first and second times and referred to Committee on Highways.

By Senator Hipwell, Senate file No. 69, a bill for an act to amend section 1078, Code of 1873.

Read first and second times and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 70, a bill for an act for the punishment of crimes for second and subsequent offenses.

Read first and second times and referred to Committee on Judiciary.

By Senator Palmer, Senate file No. 71, a bill for an act making appropriations for soldiers' monument.

Read first and second times and referred to Committee on Military.

Senator Bonson offered the following resolution and moved its adoption:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence in the case of the death of Hon. Isaac W. Baldwin, Cascade, Dubuque county, Iowa, a former member of this body, and that a copy of said resolutions be mailed by the Secretary to the widow of said deceased member.

Adopted.

CONCURRENT RESOLUTION.

Senator Carroll offered the following concurrent resolution and moved its adoption:

Resolved, by the Senate, the House Concurring, That a Joint Convention be held in the hall of the House on Wednesday, January 22d, at 12 o'clock, noon, as required by law.

Adopted.

Senator Ericson offered the following resolution and moved its adoption:

Resolved, That Miss Sadie Rice, principal of the Boone High School, and her class, be granted the privilege of the Senate Chamber.

Adopted.

REPORTS OF COMMITTEES.

Senator Henderson, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 4, a bill for an act for the better protection of fish, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, when amended by striking out section 2.

G. W. HENDERSON,
Chairman.

Ordered passed on file.

Senator Lothrop, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate file No. 44, a bill for an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same be amended by striking out section 2 thereof and inserting in lieu of said section the following:

Section 2. This act being deemed of immediate importance shall take effect and be in force from and after its due publication in the Iowa State Register and the Des Moines Leader, papers published in Des Moines, Iowa.]

And that, being so amended, the bill do pass.

J. S. LOTHROP.
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Assignment of Committee Rooms, submitted the following report:

MR. PRESIDENT—Your Committee on Assignment of Committee Rooms and fixing time of meetings of committees, beg leave to report as follows:

	Monday.	Tuesday	Wednesday.	Thursday.	Friday.	Saturday.
Room 16—						
Labor.....	4 pm	.....	.....	4 pm	.....	.....
Federal Relations.....	.....	.....	.....	.....	.....	.....
Retrenchment and Reform.....	.....	.....	.....	.....	.....	2 pm
Room 17—						
Mines and Mining.....	.....	3 pm	.....	3 pm	.....	3 pm
Building and Loan.....	.....	2 pm	.....	2 pm	.....	.....
Public Lands.....	.....	.....	.....	.....	.....	.....
Room 18—						
Suppression of Intemperance.....	9 am	.....	9 am	.....	3 pm	.....
Highways.....	.....	2 pm	.....	2 pm	.....	.....
Horticulture and Forestry.....	.....	.....	.....	.....	.....	.....
Room 19—						
Schools.....	.....	4 pm	.....	4 pm	.....	4 pm
Penitentiaries and Pardons.....	.....	.....	.....	.....	4 pm	.....
Constitutional Amendments.....	.....	.....	.....	.....	.....	.....
Claims.....	.....	.....	4 pm	.....	.....	.....
Room 20—						
Congressional and Judicial Dist's.....	9 am	.....	.....	.....	.....	9 am
Senator'l and Represent'ive Dist's.....	.....	.....	3 pm	.....	9 am	.....
Manufactories.....	.....	.....	.....	.....	.....	.....
Public Buildings.....	.....	.....	.....	.....	.....	.....
Fish and Game.....	.....	.....	.....	.....	.....	.....
Room 21—						
Educational Institutions.....	.....	2 pm	.....	2 pm	.....	.....
Commerce.....	.....	.....	.....	3 pm	.....	.....
Railways.....	.....	4 pm	.....	4 pm	.....	4 pm
Room 22—						
Judiciary.....	.....	3 pm	3 pm	.....	3 pm	3 pm
Charitable Institutions.....	.....	.....	.....	.....	.....	.....
Rules.....	.....	.....	.....	.....	.....	.....
Room 23—						
Agriculture.....	.....	9 am	.....	9 am	.....	4 pm
Code Committee.....	3 pm	.....	.....	3 pm	4 pm	.....
Military.....	.....	.....	4 pm	.....	3 pm	.....
Room 24—						
Appropriations.....	.....	2 pm	.....	2 pm	.....	2 pm
Ways and Means.....	2 pm	.....	2 pm	.....	2 pm	.....
Library.....	.....	.....	.....	.....	.....	.....
Room 26—						
Public Health.....	.....	3 pm	.....	3 pm	.....	.....
Pharmacy.....	.....	9 am	.....	.....	2 pm	.....
Corporations.....	.....	.....	.....	.....	.....	9 am
Room 28—						
Insurance.....	4 pm	.....	.....	.....	4 pm	.....
Banks.....	.....	4 pm	.....	4 pm	.....	.....
Elections.....	.....	.....	3 pm	.....	.....	.....
Room 29—						
Cities and Towns.....	1½ pm	.....	.....	.....	1½ pm	.....
Compensation of Officers.....	4 pm	.....	1½ pm	.....	4 pm	.....
Printing.....	.....	9 am	.....	3 pm	.....	.....

WARREN GARST,
Chairman.

On request of Senator Garst the report was laid over until to-morrow.

Senator Young moved that Senate file No. 44, a bill for an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same, be read the third time now.

Carried.

On motion of Senator Lothrop the report of the committee with the amendment recommended was adopted.

The bill as amended was read the third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young.

The nays were:

None.

Absent or not voting:

Senator Ellison.

So the bill passed and the title was agreed to.

Senator Garst moved that the Senate now proceed to the nomination and election of a United States Senator.

Carried.

Senator Blanchard put in nomination William B. Allison of Dubuque for the office of United States Senator.

Senator Junkin seconded the nomination with extended remarks.

Senator Everall placed in nomination W. I. Babb of Mount Pleasant for the office of United States Senator.

The nomination was seconded by Senator Harper with extended remarks.

The roll was called and those voting for William B. Allison for United States Senator were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps,

Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

Those voting for W. I. Babb for United States Senator were: Senators Bonson, Downey, Everall, Harper, Hipwell, Ranck—6.

Absent or not voting:

Senators Ellison and Hurst—2.

The President of the Senate announced that William B. Allison, having received a majority of the votes, he was declared duly elected, on the part of the Senate United States Senator for six years from the expiration of his present term.

Senator Funk asked consent to call up report of Committee on Fish and Game.

Consent granted.

Report taken up and adopted.

Moved by Senator Funk that the sections be so numbered as to conform to the report of the committee.

Carried.

Senator Funk moved that the rules be suspended and that Senate file No. 4, a bill for an act for the better protection of fish and game, be considered engrossed and read a third time now.

Carried

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—48.

The nays were:

None.

Absent:

Senator Hurst.

The bill having received the constitutional majority, was declared to have passed the Senate, and the title agreed to.

Senator Penrose asked consent to introduce the following resolution:

WHEREAS, There seems to be some cause for complaint on account of the purchase of coal used at the hospital at Independence; therefore be it

Resolved, That Senator Hotchkiss by and is hereby instructed, as the visiting member from this Senate, to inquire into the foundation of said complaints and report his findings to this Senate.

Adopted.

JOINT RESOLUTION NO. 7.

Senator Bonson introduced the following joint resolution, and asked that it be referred to Committee on Military:

Be It Resolved by the General Assembly of Iowa, That,

WHEREAS, January 15, 1861, Captain F. J. Herron of Dubuque tendered the services of himself and the Governor's Greys, through the Governor of Iowa, Hon. S. J. Kirkwood, to the government of the United States, to aid in suppressing insurrection in the South, wherever the President might direct, and thus, three months prior to actual hostilities, Iowa received credit as being the first state in the Union to tender an organized and equipped military company in anticipation of approaching conflict; and,

WHEREAS, When Fort Sumter surrendered, and marked the commencement of the war of the Rebellion, Captain Herron instantly tendered the services of the Governor's Greys and himself to the Governor of Iowa for immediate service, to uphold the National life (being the first offer in the United States), which was immediately accepted by Governor Kirkwood; and,

WHEREAS, For distinguished bravery at Wilson's Creek, Captain Herron was complimented in general orders and promoted to the Lieutenant Colonelcy of the Ninth Iowa Infantry, and soon after, for distinguished bravery at Pea Ridge, he was made a Brigadier General and also given a medal of honor by Congress, and later for his gallantry at Prairie Grove, President Lincoln appointed him a Major General, the youngest in the United States, and the second appointed from Iowa, and who received the surrender of the trans-Mississippi army of 60,000 Confederate soldiers; commanded the left wing of the investing army before Vicksburg, and, with General Grant, entered that city on its surrender, and continued to add new laurels to those previously won; and

WHEREAS, Amongst the first four names considered for honors by the Commission having charge of the Iowa Soldiers' and Sailors' Monument, and almost the very first name mentioned was Major-General F. J. Herron, and instructions were given looking to the fulfillment of this object, but upon receiving a secret communication impugning the General's personal character, the Commission took no further action until the Governor's Greys of to-day, learning of the great injustice done its former Captain, conclusively demonstrated the utter groundlessness of the secret attack, and the commission, on November 21st last, unanimously decided to discard from the monument the Coat of Arms of Iowa and substitute a Medallion of our illustrious hero, Major-General Francis J. Herron; and

WHEREAS, Such action, coupled with the recent assault, which had so suddenly relegated him to obscurity, and then, upon its gross injustice being made known, had elevated General Herron to second place upon the monument, is calculated to create inquiry in all future time why, of Iowa's two living Major-Generals, one was accorded equestrian honors and the

other given a Medallion, and lessen the deep sense of gratitude so dear to Iowa's heart for one who added so much to the glory of this commonwealth, and as the Secretary of the Commission concedes in the views of the artist that additional equestrian statues can be added to great advantage, thus enabling Iowa to extend equal honors to each of her two living Major-Generals; therefore

SECTION 1. *Be it Enacted by the General Assembly of the State of Iowa:* That the Commission having in charge the Iowa Soldiers' and Sailors' monument be, and is hereby directed, to cause an equestrian statue of Major-General Francis J. Herron to be made and added to the group of heroes selected to grace said monument, and the cost thereof, not exceeding \$10,000, be, and the same is hereby appropriated, to be paid by the State Treasurer on the voucher of said Commission, under the approval of General Francis M. Drake, Governor of Iowa, from moneys not otherwise appropriated.

Senator Waterman moved to call up motion to reconsider the House concurrent resolution relative to the purchase of Commissioners' maps.

Carried.

The resolution was then taken up and reconsidered.

Senator Trewin moved to amend the concurrent resolution by striking out the clause "appropriating \$1,875."

Carried.

Senator Waterman moved that the concurrent resolution be referred to Committee on Appropriations.

Carried.

The President announced the following special committees:

Committee on Memorial of Late Senator Baldwin—Senators Bonson, Funk and Palmer.

Committee on Memorial Hall—Senators Carpenter, Trewin and Harper.

Committee on Preservation of Flags—Senators Druet, Kilburn and Hotchkiss.

The Journal of Monday was taken up, read, corrected, and adopted.

Senator Phelps was excused from visiting committee to which he was appointed, and Senator Bell appointed in his stead.

Senator Craig was excused.

Senator Trewin was excused from session to-morrow.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Resolved, by the House, the Senate concurring, That the Postmistress and Assistant Postmistress in the Capitol keep the postoffice open on Sundays between the hours of 2 o'clock P. M. and 4 o'clock P. M., for the convenience of members and employes of the Twenty-sixth General Assembly.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Resolved, by the House, the Senate concurring, That the Secretary of State is hereby authorized to distribute the reports of the State Mine Inspector, now allotted to the members of the General Assembly, among the Senators and Representatives in proportion to the number of mines in their respective districts; *provided*, however, that each member of the General Assembly shall receive at least one copy of said report.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution, in which the concurrence of the House was asked, relative to Joint Convention.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following joint resolution, in which the concurrence of the House was asked, relative to reporters for newspapers to whom seats were assigned in the Senate and House.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate file No. 6, in which the concurrence of the House was asked: A bill for an act tendering to the United States jurisdiction over certain Indians residing in Iowa, and over their lands, and the privilege of purchasing lands in Tama county for an Indian school.

JAS. D. ROWEN,
Chief Clerk.

Senator Penrose moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, January 22, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. P. W. Hughes, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Eaton presented petition of 100 citizens of Blanchard in regard to raising age of consent.

Referred to Committee on Judiciary.

Senator Henderson presented petition of E. W. Bushards and eighty-one others in regard to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Rowen presented petition of 8,000 citizens of Iowa, 4,000 of whom were voters, in regard to raising age of consent.

Referred to Committee on Judiciary.

Senator Penrose presented petition of G. W. St. John and others on same subject.

Referred to Committee on Judiciary.

Senator Palmer presented petition of W. F. McClary and others in regard to changing election laws.

Referred to Committee on Elections.

INTRODUCTION OF BILLS.

By Senator Bell, Senate file No. 72, a bill for an act to amend section 906 of the Code as amended by chapter 62 of the Fifteenth General Assembly.

Read first and second times and referred to Committee on Ways and Means.

By Senator Druet, Senate file No. 73, a bill for an act to amend section 5894, chapter 33, of McClaine's Code.

Read first and second times and referred to Committee on Retrenchment and Reform.

By Senator Ellis, Senate file No. 74, a bill for an act to amend chapter 104 of the laws of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Public Health.

By Senator Ericson, Senate file No. 75, a bill for an act to prevent spread of disease among swine.

Read first and second times and referred to Committee on Agriculture.

By Senator Garst, Senate file No. 76, a bill for an act to legalize ordinances passed by the incorporated town of Glidden.

Read first and second times and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 77, a bill for an act to make February 22nd a legal holiday and closing all schools on that day.

Read first and second times and referred to Committee on Schools.

By Senator Kilburn, Senate file No. 78, a bill for an act to enable mutual insurance associations to co-operate in equalizing losses.

Read first and second times and referred to Committee on Insurance.

By Senator Ranck, by request, Senate file No. 79, a bill for an act to amend section 303 of the Code of Iowa.

Read first and second times and referred to Committee on Judiciary.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 44, a bill for an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Resolved, by the House, the Senate concurring, That the Secretary of the Geological Board furnish three copies of the last geological report to each member of the House and Senate.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the amendment to resolution, in which the concurrence of the House was asked, relative to adjournment.

JAMES D. ROWEN,
Chief Clerk.

CONCURRENT RESOLUTION.

Senator Carney offered the following concurrent resolution and moved its adoption:

Resolved, by the Senate, the House concurring, That any Code or revision of the laws of the State prepared under authority of the General Assembly shall be properly and carefully annotated and show in connection with each section the decisions of the Supreme Court relative thereto.

Resolved, That the Code Revision Committees of the House and Senate are authorized to consider and report upon a suitable and proper plan for the annotation of said Code.

Adopted.

Senator Byers offered the following resolution:

Resolved, That Olive Conger be appointed Assistant Enrollment Clerk and Lulu Chapman Assistant Engrossing Clerk, and also that the Secretary of the Senate be allowed to select for his assistant a clerk who is a stenographer, to receive the same pay as a committee clerk.

Laid over.

Senator Bonson offered the following resolution and moved its adoption:

Resolved, That the hour of 2 o'clock P. M. Friday, January 31, 1896, be set aside and devoted by the Senate to memorial service.

Adopted.

REPORTS OF COMMITTEES.

Senator Pusey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred concurrent resolution introduced by Senator Carney and substitute for same by Senator Eaton, relative to the treatment of the Armenians by Turkey, beg leave to report that they have had the same under consideration and have prepared a substitute therefor and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted it do pass.

N. M. PUSEY,
Chairman.

Substitute for concurrent resolution relative to Turkish outrages:

WHEREAS, The highest civilization of the world and the principles of true Americanism demand and require there should be accorded to all men the freedom to worship Almighty God according to the dictates of their own conscience, and that they should be protected by the several nations of the world, within whose boundaries they dwell, in the exercise of that right; therefore, be it

Resolved, by the Senate, the House concurring, That the people of Iowa, through the Legislature of the State, express their great abhorrence at the atrocities committed by Turkey upon the helpless people of Armenia and extend to the distressed and oppressed Armenians their fullest sympathy.

Resolved, That the Government of the United States, by its State Department, is requested to use all efforts which can be put forth, consistent with the peaceable relations we hold to the nations of the world, to stop the further sacrifice by the Turks of their victims and to give all possible aid and assistance to the Armenian survivors.

Resolved, That a properly engrossed copy of these resolutions be forwarded by the Secretary of State to the State Department at Washington

Adopted.

INTRODUCTION OF BILLS.

Senator Pusey, from the Committee on Code Revision, in the absence of Senator Carpenter, reported the following bills:

Senate file No. 80, a bill for an act to revise, amend and codify the statute in relation to certain police regulations.

Read first and second times and referred to Committee on Pharmacy.

Senate file No. 81, a bill for an act to revise, amend and codify the statute in relation to certain police regulations in the state.

Read first and second times and referred to Committee on Cities and Towns.

Senate file No. 82, a bill for an act to revise, amend and codify the statutes in relation to descendents.

Read first and second times and referred to Committee on Code Revision.

Senate file No. 83, a bill for an act to revise, amend and codify the statute in relation to internal improvements.

Read first and second times and referred to Committee on Commerce.

Senate file No. 84, a bill for an act to revise, amend and codify the statute in relation to certain police regulations.

Read first and second times and referred to Committee on Public Health.

Senate file No. 85, a bill for an act to revise, amend and codify the statute in relation to discipline and government of jails and penitentiaries.

Read first and second times and referred to Committee on Penitentiaries and Pardons.

Senate file No. 86, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishments, executions and supplementary proceedings.

Read first and second times and referred to Committee on Judiciary.

Senate file No. 87, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations.

Read first and second times and referred to Committee on Cities and Towns.

Senate file No. 88, a bill for an act to revise, amend and codify the statutes in regard to certain police regulations in the state.

Read first and second times and referred to Committee on Public Health.

Senate file No. 89, a bill for an act to revise, amend and codify the statute regarding the rights of property.

Read first and second times and referred to Committee on Judiciary.

Senate file No. 90, a bill for an act to revise, amend and codify the statute relative to the certain police regulations.

Read first and second times and referred to Committee on Suppression of Intemperance.

Senate file No. 91, a bill for an act to revise, amend and codify the statute relative to the police of the state.

Read first and second times and referred to Committee on Charitable Institutions.

Senate file No. 92, a bill for an act to revise, amend and codify the statute relative to certain police regulations.

Read first and second times and referred to Committee on Public Health.

Senate file No. 93, a bill for an act to revise, amend and codify the statute relative to judicial departments.

Read first and second times and referred to Committee on Code Revision.

Senate file No. 94, a bill for an act to revise, amend and codify the statute relative to certain police regulations.

Read first and second times and referred to Committee on Labor.

Senate file No. 95, a bill for an act to revise, amend and codify the statute relative to certain police regulations.

Read first and second times and referred to Committee on Commerce.

Senate file No. 96, a bill for an act to revise, amend and codify the statute regarding certain police regulations.

Read first and second times and referred to Committee on Commerce.

Senate file No. 97, a bill for an act to revise, amend and codify the statute in relation to domestic relations.

Read first and second times and referred to Committee on Code Revision.

Senate file No. 98, a bill for an act to revise, amend and codify the statute regarding certain police regulations of the state.

Read first and second times and referred to Committee on Agriculture.

Senate file No. 99, a bill for an act to revise, amend and codify the statute regarding certain police regulations.

Read first and second times and referred to Committee on Public Health.

Senate file No. 100, a bill for an act to revise, amend and codify the statute regarding certain police regulations.

Read first and second times and referred to Committee on Agriculture.

Senate file No. 101, a bill for an act to revise, amend and codify the statute regarding certain police regulations.

Read first and second times and referred to Committee on Military.

Senate file No. 102, a bill for an act to revise, amend and codify the statute relative to trade and commerce.

Read first and second times and referred to Committee on Judiciary.

Senate file No. 103, a bill for an act to revise, amend and codify the statute regarding certain police regulations.

Read first and second times and referred to Committee on Elections.

Senate file No. 104, a bill for an act to revise, amend and codify the statutes regarding certain police regulations.

Read first and second times and referred to Committee on Mines and Mining.

Adopted.

Senator Garst from the Committee on Assignment of Committee Rooms moved that 200 copies of corrected list of rooms and committees be printed for distribution among members.

Senator Carney moved as an amendment that the Chairman of committees and time of meetings be added to the list and referred to Committee on Printing.

Senator Garst accepted the amendment.

Motion as amended carried.

The Journal of Tuesday was taken up, read, corrected and adopted.

Senator Funk was excused until the 28th.

Senator Garst moved that the Senate take a recess until 11:45 A. M.

Carried.

Recess taken.

Senate re-convened at 11:45 A. M.

Senator Blanchard offered the following resolution and moved its adoption:

Resolved, That when the Senate adjourns to-day the adjournment shall be until 3 P. M. of Tuesday, January 28th.

Adopted.

HOUSE MESSAGES.

House message in which that body concurred in amendment to resolution relative to adjournment was taken up and passed on file.

Also the messages in which the House concurred in Senate files Nos. 6 and 44 and joint resolution No. 5.

The Senate concurred in House resolution relative to the distribution of copies of the geological report to the members of House and Senate.

The Senate concurred in House resolution relative to the distribution of State Mine Inspector's reports.

The Senate concurred in the House resolution relative to Postmistress and Assistant Postmistress.

On motion of Senator Kilburn, House file No. 28, a bill for an act appropriating money to pay G. A. West for three days' service as Mail Carrier after adjournment of the Twenty-fifth General Assembly, was taken up and read first and second times.

Senator Kilburn moved that the rule be suspended, and that the bill be considered read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellison, Ericson, Everall, Garst, Gilbertson, Gorrell, Harper, Harri-
man, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Waterman, Young—42.

The nays were:

None.

Absent or not voting:

Senators Byers, Carpenter, Craig, Ellis, Funk, Hotchkiss, Trewin, Upton—8.

So the bill passed and the title agreed to.

A messenger from the House appeared and stated that the House was now ready to receive the Senate in Joint Assembly.

The President of the Senate announced that the time had arrived for the Senate to go into Joint Convention for the purpose of comparing Journals on the election of United States Senator and requested the Senators to accompany him into the Hall of the House of Representatives.

The Senate met the House in Joint Convention.

JOINT ASSEMBLY.

The Joint Assembly was called to order by Lieutenant-Governor Parrott, President of the Senate, at 12 o'clock M., according to law.

A roll call was ordered, resulting as follows:

Those present were:

Messrs. Alexander, Allen of Van Buren, Allyn of Ringgold, Bailey, Baker, Bell of Jefferson, Bell of Washington, Berry, Bird, Blanchard, Bonson, Bowen, Brighton, Brinton, Byers of Lucas, Byers of Shelby, Byington, Carney, Carroll, Cheshire, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Downey, Druet, Eaton, Edwards, Ellis, Ellison, Ericson, Evans, Everall, Finch, Frazee, Frink, Funk of Hardin, Garner, Gilbertson, Good, Gorrell, Griswold, Grote, Gurley, Harper, Harri-
man, Haugen, Hauger, Hazen, Healy, Hendershot, Henderson, Hinkhouse, Hinman, Hipwell, Hobart, Hospers, Hunt,

Huntley, Hurst, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Junkin, Kilburn, Klemme, Ladd, Lambert, Lauder, Lavender, Lehfelddt, Loomis, Lothrop, Lowry, McAchran, McArthur, McClelland, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Mitchell, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Palmer, Penrose, Perrin, Perrott, Phelps, Porter, Power, Prentis, Pusey, Putnam, Ranck, Ray, Reed, Rigger, Rowen, Sargent, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts, Van Houten, Waterman, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Young—131.

Those absent were:

Messrs. Brady, Carpenter, Chapman, Cook, Craig, Early, Funk of Dickinson, Garst, Hotchkiss, Merrell, McDowell, Miller of Buena Vista, Parker, Potter, Scott, Thompson, Trewin, Upton, Voelker—19.

The Secretary of the Senate then proceeded to read that part of the Senate Journal for Tuesday, January 21, 1896, that referred to the vote for United States Senator.

The Chief Clerk of the House then read that part of the House Journal for Tuesday, January 21, 1896, that referred to the vote for United States Senator.

From the reading of the Journals it appeared that upon Tuesday, January 21, 1896, the Senate and House balloted separately for United States Senator, with the following result:

IN THE SENATE.

William B. Allison received.....	43
Washington I. Babb received.....	6
Absent or not voting.....	1

IN THE HOUSE.

William B. Allison received.....	75
Washington I. Babb received.....	19
Frank Q. Stuart received.....	1

William B. Allison, of Dubuque county, was then declared elected by the Twenty-sixth General Assembly of the State of Iowa, as United States Senator for the term beginning March 4, 1897.

The following certificate of election was then signed and read in the presence of the Joint Assembly:

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES, }
January 22, 1896.

This is to certify that at a meeting of the two houses of the General Assembly of the State of Iowa, in Joint Assembly, on Wednesday, the 22d day of January, 1896, at noon, a majority of all the members being present, it was found upon examination of the Journals of both houses, that upon the day before, the same being the second Tuesday after the meeting and organization of the General Assembly, each house had by roll call of the members present named Wm. B. Allison for Senator in Congress for the State of Iowa, for the term commencing the 4th day of March, 1897, and the same person to-wit: Wm. B. Allison had received a majority of all the votes in each house. Whereupon said Joint Assembly formally declared Wm. B. Allison, of Dubuque county, duly elected Senator to represent the State of Iowa in the Congress of the United States for the term of six years, beginning on the 4th day of March, 1897.

(Signed.)

MATT PARROTT,

W. E. BULLARD,

President of Senate and Joint Assembly.

Secretary of the Senate.

H. W. BYERS,

JAMES D. ROWEN,

Speaker of the House.

Clerk House of Representatives.

Senate re-convened.

The following committee clerks appeared at the bar of the Senate and took the oath of office: D. A. Byers, Engrossed Bills; Amelia E. Whitaker, Claims; Mrs. F. W. Gunkle, Compensation of Public Officers; Wilda G. Potts, Charitable Institutions.

Senator Penrose moved that the Senate do now adjourn in accordance with resolution, until Tuesday at 3 o'clock P. M., January 28, 1896.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, January 28, 1896. }

Senate met at 3 P. M. pursuant to adjournment, President Parrott in the Chair.

Prayer was offered by Rev. W. R. Baldridge, of Brooklyn, Iowa.

Miss Nellie E. Goodrich, Clerk of the Committee on Ways and Means, appeared at the bar of the Senate and took the oath of office.

PETITIONS AND MEMORIALS.

Senator Hospers presented petition of Charles Williams and thirty others in reference to raising age of consent.

Referred to Committee on Judiciary.

Senator Craig presented petition of H. C. Brown and others favoring re-submitting question of prohibition and remonstrance against the passage of manufacturers' clause.

Referred to Committee on Constitutional Amendments.

Senator Harriman presented petition of members of Cerro Gordo Farmers' Mutual Insurance company in reference to insurance clause in the new Code.

Referred to Committee on Insurance.

Senator Rowen presented petition of Belle Healy and twenty-eight others in reference to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Rowen presented petition of Samuel W. Wilson and 100 others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Rowen presented petition of Gertrude Blair and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Rowen presented petition of L. K. Bolton and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Rowen presented petition of E. E. Blanchard and others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Henderson presented petition of W. F. Shafer and thirty-five others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Bell presented petition of Mrs. V. Bushman and 258 others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Ranck presented petition of the Iowa Academy of Science regarding preservation of Iowa lakes.

Referred to Committee on Horticulture and Forestry.

Senator Funk presented petition of sixty-eight citizens of Spirit Lake regarding juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Sargent presented petition of W. A. Mooty and seventy-one others relative to a change of the school laws.

Referred to Committee on Schools.

Senator Healy presented petition of Rev. J. N. Liscomb and others relative to the age of consent.

Referred to the Committee on Judiciary.

A communication from the civil government class of the Boone high school was read, in which they expressed their gratitude to Senator Ericson and other Senators in extending to them the privilege of the Senate Chamber.

INTRODUCTION OF BILLS.

By Senator Gorrell, Senate file No. 105, a bill for an act to provide for the systematic inspection of dairy herds.

Read first and second times and referred to Committee on Public Health.

By Senator Healy, Senate file No. 106, a bill for an act to regulate the forfeiture of contracts for sale of real estate.

Read first and second times and referred to Committee on Judiciary.

By Senator Hospers, Senate file No. 107, a bill for an act to provide for a uniform system of bookkeeping for county officers and appointment of state examiners of county accounts.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Hurst, Senate file No. 108, a bill for an act to amend section 3327 of the Code of 1873 in relation to the cancellation of real estate mortgages.

Read first and second times and referred to Committee on Judiciary.

By Senator Lothrop, Senate file No. 109, a bill for an act creating and establishing appellate courts.

Read first and second times and referred to Committee on Judiciary.

By Senator Rowen, Senate file No. 110, a bill for an act to legalize the proceeding of the board of supervisors of Wright county in locating and constructing a drain in the town of Clarion.

Read first and second times.

Senator Rowen moved that the rules be suspended and Senate file No. 110 be read a third time now.

Senator Eaton objected and moved that the bill be referred to Committee on Judiciary.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolved, by the House, the Senate concurring, That each Senator and Representative be furnished a copy of the acts of the Ninth to the Twenty-fifth General Assembly inclusive, as far as the supply on hand goes.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution in which the concurrence of the Senate is asked:

WHEREAS, Many officers, soldiers, sailors and marines of the federal army and navy were confined in the so-called confederate prisons for a great length of time, suffering unusual hardships and contracting diseases and disabilities difficult to fully prove under existing pension laws; and

WHEREAS, A bill has been introduced in the Congress of the United States, known as House Bill H. R. 306, providing special pensions for such prisoners of war and for the purpose of doing justice to a specially deserving class of the surviving veterans of the war; therefore, be it

Resolved, by this House, the Senate concurring, That the Congress of the United States is requested to pass said House bill, known as H. R. 306, granting a special pension to soldiers who suffered in confederate prisons, and that the Senators and Representatives in Congress from Iowa, are requested to use their influence for the passage of this law during the present session, in order that soldiers who lay in southern prisons, sickening and suffering there, losing all opportunity to prove their disabilities; losing all opportunity for promotion; losing all opportunity for re-enlistment and the securing of bounties shall not longer be deprived of the justice for them in the said bill provided.

That a copy of the foregoing resolution be certified to by the Secretary of the State, under the seal of the State and sent to the Senators and Representatives in Congress from Iowa.

Senators Trewin and Perrin were excused until Thursday and Senator Phelps until January 29.

The Journal of the Senate of January 22d was taken up, read, corrected and approved.

Senator Garst moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, January 29, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott in the Chair.

Prayer was offered by Rev. Daniel McPherson, of Des Moines.

The following Committee Clerks appeared at the bar of the Senate and took the oath of office: J. G. Alexander, Public Buildings; C. W. Kilburn, Labor.

PETITIONS AND MEMORIALS.

Senator Berry presented petition of C. Scott and forty-six others relative to the age of consent.

Referred to Committee on Judiciary.

Senator Allyn presented petition of citizens of Davis City on the same subject.

Referred to Committee on Judiciary.

Senator Young presented petition of T. G. Mathews and eighty-seven others on same subject.

Referred to Committee on Judiciary.

Senator Young presented petition of Rev. B. M. Amsden and fifty-six others on same subject.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of D. F. Witter and others relative to keeping juvenile prisoners separate from adults.

Referred to Committee on Penitentiaries and Pardons.

INTRODUCTION OF BILLS.

By Senator Alexander, Senate file No. 111, a bill for an act to authorize the acceptance of gifts to public institutions.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Carpenter, Senate file No. 112, a bill for an act to legalize proceedings of the board of supervisors of Louisa county, Iowa, relative to letting stock run at large.

Read first and second times and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the Twenty-fifth General Assembly.

Read first and second times and referred to Committee on Public Library.

By Senator Cheshire, Senate file No. 114, a bill for an act to amend section 2, chapter 99, acts of the Twenty-fifth General Assembly.

Read first and second times and referred to Committee on Public Library.

By Senator Druet, Senate file No. 115, a bill for an act to regulate computation and compensation for mileage.

Read first and second times and referred to Committee on Labor.

By Senator Everall, Senate file No. 116, a bill for an act to amend sections 969, 975, 981, 987 and 990 of the Code, relative to meetings of trustees and settlement with road supervisors.

Read first and second times and referred to Committee on Highways.

By Senator Hipwell, Senate file No. 117, a bill for an act relative to assignment and release of judgments.

Read first and second times and referred to Committee on Judiciary.

By Senator Hobart, Senate file No. 118, a bill for an act making appropriation to purchase land for site of Hospital for Insane at Cherokee.

Read first and second times and referred to Committee on Appropriations.

By Senator Hobart, Senate file No. 119, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee.

Read first and second times and referred to Committee on Appropriations.

By Senator Mitchell, Senate file No. 120, a bill for an act to promote the establishment and efficiency of free public libraries and public school libraries.

Read first and second times and referred to Committee on Public Libraries.

By Senator Rowen, Senate file No. 121, a bill for an act to amend section 428, chapter 2, McClain's Code, relative to county printing.

Read first and second times and referred to Committee on Judiciary.

By Senator Carroll (by request), Senate file No. 122, a bill for an act to repeal sections 906 and 907, Code of 1873, relating to peddlers' licenses.

Read first and second times and referred to Committee on Ways and Means.

Senator Young offered the following resolution and asked to have it read and referred to Special Committee on Memorial Hall:

At a reunion of the Twenty-seventh Regiment Iowa Infantry Volunteers, held at Independence, Iowa, December 18 and 19, 1895, present ninety of the survivors of the Twenty-seventh Iowa Infantry and twenty-eight survivors of other regiments, the following resolution was introduced by Lieut. H. C. Hemenway, of Company C, Twenty-seventh Iowa, and was unanimously adopted:

Resolved, That we, the survivors of the Twenty-seventh Regiment Iowa Infantry Volunteers of the war of the rebellion, in our ninth reunion assembled, do most heartily and earnestly recommend the Legislature in the coming Twenty-sixth General Assembly to provide for erecting at some suitable place in Des Moines a building to be known as the Memorial Building, in which may be preserved the data and relics of the military achievements of the Iowa soldiers and sailors in the late war, and also the mementoes and history of the pioneer settlers of Iowa, making it a historical museum in which to properly preserve the records of their achievements. On motion of Lieut. John Everall, of Company E, the president and secretary were directed to send a copy of this resolution to the Senator and Representative of this district.

A true copy.

JED LAKE,
President.

JAMES A. POOR,
Secretary.

Referred to Committee on Memorial Hall.

Senator Berry offered the following resolution and moved its adoption:

Resolved, That the Secretary of the Senate be and is hereby instructed to have printed for the use of the Senate 300 copies of the bill, Senate file No. 1.

Adopted.

HOUSE MESSAGES.

On motion of Senator Garst the House messages were taken up.

Joint Resolution No. 6 relative to purchase of step ladders and tables was ordered passed on file.

House resolution relative to Joint Convention was ordered passed on file.

Senator Garst moved that the Senate concur in House resolution relative to officers, soldiers, sailors and marines of the Federal army who were confined in Confederate prisons.

Carried.

Senator Ericson moved that the Senate concur in House resolution relative to furnishing Representatives and Senators with copies of the acts of the Ninth to Twenty-fifth General Assembly inclusive.

Carried.

SPECIAL COMMITTEE REPORT.

Senator Lothrop, from Joint Committee on Visitation of Soldier's Home at Marshalltown, presented report.

Ordered passed on file.

A. P. Barber, Clerk of Committee on Congressional and Judicial Districts, appeared at the bar of the Senate and took the oath of office.

The Journal of Tuesday was taken up, read, corrected and approved.

Senator Druet was excused.

Senator Alexander moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Carried.

Senate adjourned

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, January 30, 1896. }

Senate met in regular session at 10 o'clock A. M. and was called to order by President Parrott.

Prayer was offered by Rev. Clinton Douglas, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Carpenter presented petition of Henry Ewinger and others, relative to licensing plumbers.

Referred to Committee on Public Health.

Senator Hotchkiss presented petition of C. C. Pugh and sixty-six citizens of Dallas county, relative to removal of dam at Bonaparte.

Referred to Committee on Fish and Game.

Senator Hipwell presented petition of Koester & Martin and others relative to licensing plumbers.

Referred to Committee on Public Health

Senator Healy presented petition of C. J. Saunders and others on the same subject.

Referred to Committee on Public Health.

Senator Funk presented petition in regard to farmers' mutual insurance companies and asked to have same read.

Referred to Committee on Insurance.

Senator Healy presented petition of T. W. McCrary and others on same subject.

Referred to Committee on Insurance.

Senator Carney presented petition of W. C. Payne and others, relative to licensing plumbers.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Byers, Senate file No. 123, a bill for an act to reimburse John L. Brown, as Auditor of State, for the years 1885 and 1886 in payment of his official contest.

Read first and second times and referred to Committee on Claims.

By Senator Carney, Senate file No. 124, a bill for an act making appropriations for Soldiers' Home at Marshalltown.

Read first and second times and referred to Committee on Appropriations.

By Senator Carroll, Senate file No. 125, a bill for an act to relieve F. M. Heskett.

Read first and second times and referred to Committee on Claims.

By Senator Eaton, Senate file No. 126, a bill for an act to repeal section 16, chapter 58, acts of the Twenty-first General Assembly, and enacting substitute therefor.

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis (by request), Senate file No. 127, a bill for an act to require the United States flag to be placed on public school buildings in Iowa, or on a flag staff on the grounds of said building.

Read first and second times and referred to Committee on Schools.

By Senator Hobart, Senate file No. 128, a bill for an act to amend section 4535 of the Code of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Hotchkiss, Senate file No. 129, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 130, a bill for an act for the relief of honorably discharged soldiers and sailors.

Read first and second times and referred to Committee on Military.

By Senator Kilburn, Senate file No. 131, a bill for an act for a substitute for chapter 5, title 6, of the proposed Code relating to insurance.

Read first and second times and referred to Committee on Insurance.

By Senator Palmer (by request), Senate file No. 132, a bill for an act to authorize cities to acquire real estate for outlets for sewers.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Upton, Senate file No. 133, a bill for an act to repeal section 963, Code of 1873, relative to costs on appeal in establishing highways, and enacting a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 134, a bill for an act to appropriate money to procure for the Adjutant General's rooms in the Capitol a portrait of the late Adjutant-General Nathaniel B. Baker.

Read first and second times and referred to Committee on Appropriations.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the resolution, in which the concurrence of the House was asked, relative to the distribution of the report of the Code Commission.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the resolution, in which the concurrence of the House was asked, relative to the treatment of the Armenians by Turkey.

JAMES D. ROWEN,
Chief Clerk.

JOINT RESOLUTION NO. 8

Senator Carpenter offered the following joint resolution:

WHEREAS, The citizens and tax payers of the Muscatine Island levee district, composed of lands lying adjacent to the Mississippi river in Muscatine and Louisa counties, Iowa, have maintained for many years a levee at their own expense, which levee is of great benefit to the navigation and protection to the lands and agricultural districts thereto adjoining; and

WHEREAS, The said levee is now in need of reconstruction and repairs, and the tax payers of the said district are unable longer to maintain said levee at their own cost; and

WHEREAS, Said levee is a great help in restraining the waters of the Mississippi river in its channel, thereby improving the navigation of said river.

Be it Resolved by the General Assembly of Iowa, That our Senators and Representatives in Congress are requested to use their active influence to secure and to vote for such appropriations as will insure the reconstruction and repair of the said Muscatine Island levee, at the earliest possible date.

Resolved, That the Secretary of State be and is hereby instructed to forthwith transmit a copy hereof to each of our Senators and Representatives in Congress from Iowa.

Referred to Committee on Federal Relations.

Senator Harriman offered the following concurrent resolution and moved its adoption:

Resolved, by the Senate, the House concurring, That 5,000 copies of the rules of the Senate, rules of the House and joint rules, together with the names of all standing committees of the Twenty-sixth General Assembly, be printed as soon as practicable and distributed in the same manner as those of the preceding General Assembly.

Adopted.

CONCURRENT RESOLUTION RELATIVE TO EMPLOYING PETER HOLMES.

Senator Carpenter offered the following concurrent resolution and moved its adoption:

Resolved, by the Senate, the House concurring, That Peter Holmes be employed to attend and answer calls at the telephone in the Senate cloak room at a salary of \$2 per day during the session of the Twenty-sixth General Assembly.

Objected to and laid over under the rules.

CONCURRENT RESOLUTION IN RELATION TO SOLDIERS' AND SAILORS' MONUMENT.

Senator Waterman offered the following concurrent resolution:

WHEREAS, The State of Iowa has undertaken a most praiseworthy and patriotic work of erecting a monument to the honor and memory of her soldiers and sailors, and for the further purpose of having within her borders a tangible and lasting admonition to future generations to preserve the union of these states and ever defend our flag, the emblem of liberty and symbol of American institutions; and,

WHEREAS, Said monument was designed as an expression of gratitude to the Iowa soldiers and sailors, one and all alike, without semblance of favoritism or regard to rank, for the patriotic offering of lives upon the altar of our country; and,

WHEREAS, It is currently reported that the Monument Commission propose to place upon said monument medallion portraits or statues of sixty-six persons out of 50,000 Iowa soldiers, which proposed action is causing great dissatisfaction, and abating the interest of the Iowa soldiers and sailors in the completion and happy dedication of the monument; therefore, be it

Resolved, by the Senate, the House concurring, That the Monument Commission be directed to place no image or medallion portrait of any man, living or dead, upon said monument, or append thereto any figures other than such as are typical, as such special recognition exalts one soldier above another of equal or more deserving record.

Objected to and laid over under the rules.

Senator Kilburn offered the following joint resolutions and asked that they be read first and second times and referred to Committee on Constitutional Amendments:

Ordered printed in Journal.

JOINT RESOLUTION NO. 9.

Be it Resolved by the General Assembly of the State of Iowa, That the following amendment to the Constitution of the State of Iowa be and the same is hereby proposed, viz:

To amend section one, article two, of the State Constitution of Iowa, which reads as follows:

“ Every male citizen of the United States of the age of 21 who shall have been a resident of this state six months next preceding the election, and of the county in which he claims his vote sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law,” by adding the words “and female” after the word male in the first line of said section, and in the third line of said section adding the words “or she” after the word he, and in the same line of said section adding the words “or her” after the word his. Said section when so amended to read as follows:

“ Every male or female citizen of the United States of the age of 21 who shall have been a resident of this state six months next preceding the election, and of the county in which he or she claims his or her vote sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.”

JOINT RESOLUTION NO 10.

Be it Resolved by the General Assembly of the State of Iowa; That the following amendment to the Constitution of the State of Iowa be, and the same is hereby proposed, viz:

To amend section four of article three of the State Constitution of Iowa, which reads as follows: “No person shall be a member of the House of Representatives who shall not have attained the age of 21 years; be a male citizen of the United States, and shall have been an inhabitant of this state one year next preceding his election; shall have had an actual residence of sixty days in the county or district he may have been chosen to represent,” by striking out the word male in the second line of said section, and adding the words “or her” after the word his, occurring twice in the fourth line of said section, and adding the words “or she” after the word he in the fifth line of said section.

Said section when so amended to read as follows:

“No person shall be a member of the House of Representatives who shall not have attained the age of 21 years; be a citizen of the United States, and shall have been an inhabitant of this state one year next preceding his or her election, at the time of his or her election shall have had an actual residence of sixty days in the county or district he or she may have been chosen to represent.”

REPORT OF STANDING COMMITTEE.

Senator Ellis, from the Committee on Judiciary, submits the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred senate file No. 20, a bill for an act to repeal chapter 85 of the laws of the Twenty-second General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 14, a bill for an act to legalize the drawing of grand and petit juries where failure to give notice exists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submits the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 6, a bill for an act tendering to the United States jurisdiction over Indians residing in Iowa and over their lands and the privilege of purchasing lands in Tama county for an Indian school.

Ordered passed on file.

Also Senate file No. 44, a bill for an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same, and have instructed me to report the same back to the Senate that we find the same correctly enrolled.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

On request of Senator Ellison, Senator Trewin was excused until Saturday.

Senator Carroll presented report of Visiting Committee to the College for the Blind at Vinton.

Ordered passed on file.

Senator Bell presented report of Visiting Committee to Benedict Home.

Ordered passed on file.

Senator Penrose moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Carried.

Senate adjourned.

SENATE CHAMBER.
DES MOINES, Iowa, Friday, January 31, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. Timothy Reeves, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Kilburn presented three petitions of H. R. Johnson and sixty-seven others of Madison county, relative to adulteration of food and drugs.

Referred to Committee on Public Health.

Senator Hipwell presented petition of C. F. Roeschmann and others, relative to removing dam at Bonaparte.

Referred to Committee on Fish and Game.

Senator Waterman presented petition of S. A. Spilman and others of Ottumwa, relative to licensing plumbers.

Referred to Committee on Public Health.

Senator Mitchell presented petition of Harry W. Graves and thirty-seven others, relative to adulteration of food and drugs.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Alexander, Senate file No. 135, a bill for an act to amend section 208, chapter 8, title 12, Code of Iowa, in relation to homesteads.

Read first and second time and referred to Committee on Judiciary.

By Senator Bell, Senate file No. 136, a bill for an act to fix and regulate liability of insurers.

Read first and second time and referred to Committee on Insurance.

By Senator Carney, Senate file No. 137, a bill for an act to provide for the supervision of state institutions.

Read first and second time and referred to Committee on Judiciary.

By Senator Eaton, Senate file No. 133, a bill for an act to amend section 3150 and 3152 of the Code.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellison, Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Senator Ericson, Senate file No. 140, a bill for an act to prevent spread of disease among swine.

Read first and second time and referred to Committee on Agriculture.

By Senator Hipwell, Senate file No. 141, a bill for an act to protect the interest of parties for whose benefit security was given.

Read first and second time and referred to Committee on Judiciary.

By Senator Penrose, Senate file No. 142, a bill for an act to define and punish crime of desertion.

Read first and second time and referred to Committee on Judiciary.

REPORT OF COMMITTEES.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

That the clause beginning at the semicolon in line nine (9) and ending at the period in line ten (10) be stricken out in section 1. Also that all of section 4 be stricken out, and that it do pass as amended.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred several petitions in regard to and concerning the age of consent, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that they be referred to the Judiciary Committee.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submits the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House concurrent resolution in relation to purchase of railway commissioners maps, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the attached joint resolution be substituted therefore, and that the substitute do pass.

H. L. WATERMAN,
Chairman.

JOINT RESOLUTION NO. 11.—SUBSTITUTE FOR HOUSE CONCURRENT
RESOLUTION RELATING TO PURCHASE OF MAPS.

Be it Resolved by the General Assembly of the State of Iowa, That the railway commissioners' are hereby directed to provide, at the earliest practicable date, 10,000 copies of the railway commissioners' official map of Iowa, and suitable envelopes in which to mail the same, and that fifty copies be furnished to each member of the General Assembly, and the balance to be distributed under the direction of the railway commissioners.

Senator Waterman asked that the report of the committee appointed on Joint Resolution No. 11, relative to the purchase of railroad commissioners' maps be read first and second times.

Read first and second times.

Senator Funk moved the adoption of the report.

Carried.

Senator Waterman moved that the rules be suspended and the joint resolution read the third time now.

Carried.

Third reading of the joint resolution.

On the question, "Shall the resolution pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Druet, Harper, Kilburn, Lehfeldt, Trewin, Upton—6.

So the joint resolution passed and the title was agreed to.

REPORT OF VISITING COMMITTEES.

Senator Byers presented report of Visiting Committee to Penitentiary at Fort Madison.

Ordered passed on file.

Senator Hotchkiss presented report of Visiting Committee to the Hospital for Insane at Independence.

Ordered passed on file.

Senator Sargent presented report of Visiting Committee to the Industrial School for Girls at Mitchellville.

Ordered passed on file.

Senator Waterman called up resolution relative to an attendant at the telephone in the cloak room and offered the following substitute, and moved its adoption:

Resolved, That the Janitors be instructed to attend and answer telephone calls in the Senate cloak room.

The amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the resolution in which the concurrence of the House was asked, in relation to printing joint rules for the House and Senate.

JAMES D. ROWEN,
Chief Clerk.

On motion of Senator Phelps, Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, with report of committee recommending it do pass, with amendments, was taken up, considered, and the report of the committee was adopted.

Senator Phelps moved that the rules be suspended and the bill be considered engrossed and read the third time now.

Carried.

By unanimous consent the bill was withdrawn from third reading.

Senator Phelps moved to amend the bill by striking out section 3.

Carried.

Senator Ranck moved to amend section 2 by striking out in line 2 of said section after the word "not" the words "less than \$25 nor."

Senator Phelps moved to amend the amendment by making it read "a fine of not less than \$10 nor more than \$50."

The amendment to the amendment was adopted.

Senator Berry also offered an amendment to section 1 of the bill by inserting at the end of line 2 of section 1 the words "for sale or," and after the word "dispense" in the third line of section 1 insert the word "or."

Adopted.

Senator Harper offered an amendment to strike out all after the word "paid" in the third line of section 2.

Lost.

Senator Pusey offered an amendment by striking out "\$100" in line 5, section 2, and substitute therefore "\$10."

Lost.

Senator Ellison offered the following amendment:

I move to amend section 1 by substituting the following:

Section 1. It shall be unlawful for any person by himself, his agent, clerk or employee to sell, exchange, barter dispense, give or cause to be given to any minor, or procure for the use of any minor, within this state, either directly or indirectly, any cigar, cigarette or tobacco in any form whatever.

Seconded by Senator Ellis.

Senator Waterman moved that the Senate do now adjourn until 2 o'clock P. M.

Carried.

Senate adjourned.

In Memoriam

.. of ..

Hon. J. Morris Rea,

Late Senator, 38th District,

Who Died at his home,

Grundy Center, Iowa,

August 25, 1895.

These Resolutions Adopted, and Speeches Made,

By his Colleagues,

January 31, 1896.

AFTERNOON SESSION.

The Senate met at 2 P. M., pursuant to adjournment, President Parrott presiding.

The special order of the hour being the resolutions relative to the death of Hon. Isaac W. Baldwin and Hon. J. Morris Rea, former members of this body. Senator Sargent presented resolution on the death of Hon. J. Morris Rea and asked their reading.

WHEREAS, The Hon. J. Morris Rea, of Grundy county, has met the inevitable fate of all men and passed from life unto death at his home in Grundy Center, August 25, 1895.

WHEREAS, He was a member of the Senate of Iowa from the Thirty-eighth district including Black Hawk and Grundy counties, in the Twenty-fifth General Assembly, and would, had he lived, been a member of the Twenty-sixth General Assembly; therefore, be it

Resolved, That in the death of Senator Rea we feel that a man of great public usefulness has been called hence from the active duties of life, and we do sincerely mourn his loss. That his death is one especially to be deplored in view of his honorable connection with the Senate of Iowa, and the lasting impression he made during his service in the Twenty-fifth General Assembly by his wise and conservative action as a legislator.

Resolved, That in the life of Senator Rea, pure, blameless and Christian-like, and in the practice of his profession as a lawyer he has left an example to be emulated by young and old, and one which in this hour of bereavement must be a great gratification to his family and friends, and the members of this Senate do, with most profound feeling, join them in lamenting his death.

Resolved, That the Secretary of this Senate forward a properly engrossed copy of these resolutions to the family of Senator Rea, and that they be entered on the record of the Senate.

E. M. SARGENT.

W. B. PERRIN.

J. L. CARNEY.

Committee.

In moving the adoption of the resolutions

SENATOR E. M. SARGENT,

of the Thirty-eighth district, spoke as follows:

To chronicle the death of a friend is one of the saddest of duties; and as a friend few men have been more highly esteemed by those who knew them well, or better deserved the name than the late Senator from the Thirty-eighth district, Hon. J. Morris Rea.

His death, which occurred on the 25th of last August, was most sudden and unexpected. Although he had been in bad health for several years, he had so bravely and patiently fought against the encroachments of his disease that few, if any, of his friends were aware that his condition was critical, and only four days before his death did he at last yield to the compulsion of the inevitable and exchange his office and business for his death-bed. Such was the courage of the man that he not only concealed his condition from his friends and from his own family, but he forced himself daily to attend to business and to mingle with his fellow citizens and quietly to go the round of his customary duties, while every day he was setting his affairs in order and listening for the dread summons which he alone knew was coming so soon. When it came he met and answered it as bravely and patiently as he had lived.

The record of J. Morris Rea's life is like that of many another citizen of Iowa. Born in the east, in Chester county, Pennsylvania, March 1, 1846, he early migrated to the West to grow up with the country and become a resident of Mt. Carroll, Illinois, in 1854. Having attended school at that place for nine years, he entered Chicago University, and graduated from that institution in 1867 and immediately thereafter began the study of law in the office of C. B. Smith, of Mt. Carroll.

Having been admitted to the bar in Illinois, he migrated to Iowa and settled at Grundy Center in 1870 to practice his profession. Together with his law partner, he edited and published the Grundy County Atlas for six years. During a large part of this time Mr. Rea was county superintendent of schools. Becoming thus identified with law, journalism and education in the young county in which he had settled, he formed a wide acquaintance and earned an enviable popularity which increased with years. Mr. Rea was married to Ann S. Cook in 1878 and shortly after gave up his work as editor and county superintendent and confined his energies to the practice of law. He soon established his reputation as the leading attorney of Grundy county. To the end of his life, however, he retained his interest in public schools and was for many years a member and president of the city board of education. He was also deeply interested in every enterprise of benevolence and public good and was an active and prominent member of the Baptist church and a consistent Christian, nor did his interest in questions affecting the common weal stop within the circle of his denomination or community, but upon every issue in which justice and right in state or nation were concerned he held firm convictions and was steadfast and honest in maintaining them. As a lawyer, Mr. Rea was able, careful and courteous, and enjoyed the confidence and esteem of his clients and associates; while in the wider circles of society he was known as a most agreeable, entertaining and cultured gentleman. He was an active politician with a wide knowledge of public men and affairs, always faithful to his friends and just to his opponents. He held the office of county attorney for a number of years. In 1886 Mr. Rea received the republican nomination for judge in the Tenth district. As evidencing his extreme popularity, it may be mentioned that at every Senatorial convention since 1879 he was supported by his county for the republican nomination. In 1893 he was nominated and elected to the Senate from the Thirty-eighth district and in the Twenty-fifth General Assembly he gave abundant evidence of his splendid mental and legal abilities, his quick, strong grasp

of public questions, and his faithfulness and diligence in performance of duty. Having served half his term of office with distinction and credit to himself and his constituents apparently a long career of honor and usefulness was open before him; but the hopes and desires of his friends and his own ambitions were alike destroyed by the rapid advance of the disease which ended his life and public service at the untimely age of 49.

In the death of Senator Rea it may be truly said that his family mourns a kind and loving husband and father, and his community a modest, unassuming, public spirited, influential, Christian man; while his district loses an able and diligent representative; the Senate an efficient and painstaking member, and his state and nation a scholarly, devoted and patriotic citizen.

SENATOR J. L. CARNEY

of the Twenty-eighth district, in seconding the motion, spoke as follows:

MR. PRESIDENT—We are gathered in obedience to a time honored custom to reflect for a brief period upon the mystery of death, to enshrine the memory of a worthy citizen and Senator of Iowa. These resolutions, which are never referred to a committee, upon which a negative vote is never cast, have arrested the attention of this body, and in the presence of the memory of a departed servant of the people, we by universal consent extol his virtues and lament his death.

I did not have the pleasure of an intimate acquaintance with Senator Rea, but I know him as a just, upright, conscientious man. Residing in the county adjoining his on the south, I occasionally had the privilege of meeting him, either in the court room or elsewhere, and always found him the same earnest, sincere and candid man. While he was not noted as an orator or advocate, he was recognized everywhere as a wise and faithful member of the bar, a man devoted to the interests of his client, and always fair and candid with the court. No higher encomium can be given any man than that he performed duty as it was presented to him, and assuredly this praise is due our departed brother. We, as the members of this organized Senate, have begun this session with high hopes doubtless of advancing the best interests of the state, of aiding in our own development and mental growth. This is but the successor of former Senates of Iowa, many of the members of which have joined the great majority, and others are standing on the brink of the dark river. They have performed well their work, and aided in the formation of a state government, second to none on the American continent. In this complex machinery of federal and state control, proud Iowa moves serenely, guided by the wise laws enacted by Legislatures, which have numbered in their ranks some of the wisest of the nation's wise men. Their foresight taught them that this portion of the great Mississippi valley, between the father of waters and his great tributary on the west, was sure in the fullness of time to become densely populated; to be covered with the works of man; to be the birth-place of men of letters, of art, of science, whose fame should go out over the whole land. They, therefore, by the enactment of a constitution and laws suitable for the control and development of an intelligent people have laid well the foundation for the enduring structure of state government, which is and

will be for generations yet unborn the joy and pride of the people of the State of Iowa.

These laws of the state have been slowly added to, changed, modified and amended, by successive Legislatures, and as it became apparent that a new codification was necessary, Senator Rea was elected to a General Assembly, which, by general and universal consent was expected to adopt some plan, or put in force some agency whereby there should be evolved from the apparent confusion a beautiful and symmetrical whole. That step was taken in the appointment of, and definition of the powers of a Code Commission, and doubtless Senator Rea looked forward hopefully to the meeting of this General Assembly, when he would be able to join in the completion of that great work, which, as we approach it, almost startles us by its immensity. That satisfaction was denied him, and he has been called higher. We must perform the responsible and pressing duties devolving upon us, without the aid of his wise, conservative and conscientious counsel. His life work is done. To him has come the great change which awaits all men.

In closing, nothing that I could say would be more fitting than a quotation from the classic oration, which it was my privilege to hear Senator Ingalls deliver on a like occasion in the United States Senate, when he said: "In the democracy of the dead all men at last are equal. There is neither rank nor station, nor prerogative in the republic of the grave. At this fatal threshold the philosopher ceases to be wise, and the song of the poet is silent. Dives relinquishes his millions and Lazarus his rags. The poor man is as rich as the richest and the rich man is as poor as the pauper. The creditor loses his usury and the debtor is acquitted of his obligation. There the proud man surrenders his dignities, the politician his honors, the worldling his pleasures; the invalid needs no physician, and the laborer rests from unrequited toil. Here at last is nature's final decree in equity. The wrongs of time are redressed, injustice is expiated, the irony of fate is refuted, the unequal distribution of wealth, honor, capacity, pleasure and opportunity, which make life so cruel and inexplicable, ceases in the realm of death. The strongest there has no supremacy and the weakest needs no defense. The mightiest captain succumbs to that invincible adversary, who disarms alike the victor and the vanquished."

SENATOR W. B. PERRIN

of the Forty-fourth district, spoke as follows:

MR. PRESIDENT—It is fitting that the Senate turn from its legislative duties and devote the hour to paying a tribute of respect to the memory of those who have been called from our number to the land of eternal rest.

I believe that these memorial ceremonies will not only be a mournful satisfaction to the friends of those whose memories we revere, as well as of advantage to ourselves, but will be productive of good to the state. To dwell upon the characteristics of the noble dead, and to recall their virtues and estimable qualities, chastens the mind and arouses desires for right living and worthy actions. Besides, all must be impressed with the thought that life is of brief duration and of a transitory nature, and we are admonished to work while it is yet day, knowing that the night cometh in which no man can work.

Only a few short months ago—how very short they now seem—those of us who were members of the Twenty-fifth General Assembly, walked, talked and labored together with Hon J. Morris Rea. We remember him as a gentleman, courteous, affable and considerate of the rights of others; painstaking and conscientious in the discharge of every duty, as one who fully appreciated the responsibility that had been imposed upon him and met the requirements of the trust confidently and manfully.

We remember how faithfully and efficiently he labored as a member of that body. We know that the wisdom of his counsel and his well-directed efforts assisted largely in the deliberations of the Senate, and that the product of his mature thoughts are crystalized in the statutes of the state; so that being dead he yet speaketh, and will continue to be heard as long as our commonwealth shall exist. Did I say our brother is dead? Though we cannot see his beloved form, we may not grasp his cordial hand; we do not hear the familiar tone of his voice, we look to the seat that he was wont to fill with honor and dignity, but our brother is not there. Still we cannot feel that he is dead. Nay, to us, our brother is not dead. He lives, thank God! He abides in our memories as clearly as when we last bade him farewell in the flesh. He is with us to-day; he communes with us, counsels with us, and will be our dear friend and close companion forever.

The lesson imparted by a good life, is to us like a volume from a favorite author, we peruse it with pleasure, we treasure its words in our hearts, we keep it near us on our table or library shelf, we often refer to it, until by becoming familiar with its pages and cherishing its words it becomes incorporated into our being, influences our thoughts and controls our actions.

By relatives and friends the mortal form is dearly cherished, they learn to love the casket and gaze upon it until in a measure they become unmindful of the precious jewel that it contains, and it often happens, that when the case that has become the idol of their admiration is shrouded and covered with the clods of the valley, they feel in the bitterness of their bereavement that all is lost and become forgetful of the rich heritage that is bequeathed them in the record of an honorable life and of the promise of immortal existence, and the felicity that awaits the soul beyond the grave.

Senator Rea as his life among us indicated, was a believer in the doctrines taught by Jesus of Nazareth, and while here could with the poet say:

Here in the body pent,
Absent from Him I roam.
Yet nightly pitch my morning tent,
A day's march nearer home.

The weary march is o'er, the tabernacle of flesh has been consigned to its final resting place, but the bright, genial, noble spirit that occupied it is at home at rest.

We may be thankful that it has been our privilege to know J. Morris Rea, and to have enjoyed for a period social and official relations with one in mind so pure, in motives so high—one so conscientious in the discharge of every obligation.

As we resume the duties of the session the hallowed influences of this hour will follow us in our labors, the memory of the good and noble lives which we here contemplate will rest as a gracious benison to harmonize our actions, to dull the sting of envy and curb the spirit of self-seeking

In Memoriam

.. of ..

Hon. H. W. Baldwin,

Late Senator, 25th District,

Who Died at his home,

Cascade, Iowa,

February 9, 1895.

These Resolutions Adopted, and Speeches Made,

By his Colleagues,

January 31, 1896.

and unbridled ambition, guiding all to labor earnestly for the interests of our entire people and the welfare of our beloved state.

The resolutions were adopted by a rising vote.

Senator Bonson presented the following resolutions on the death of the late Senator Isaac W. Baldwin:

WHEREAS, Hon. Isaac W. Baldwin, late Senator from the Twenty-fifth senatorial district, died at his home in Cascade, Iowa, February 9, 1895; and

WHEREAS, The character and public service of the deceased are worthy of public recognition; therefore,

Resolved, That it is with sincere regret that this body learned of his death; and

Resolved, That in the death of Senator Isaac W. Baldwin, we mourn the loss of an able and conscientious member, who in his official capacity was faithful to the obligations imposed upon him and rendered conscientious and efficient services.

Resolved, That for ourselves and the Senate, we express to his family our most sincere sympathy in the loss of a devoted husband and kind parent.

Resolved, That these resolutions be entered on the Journal of the Senate, and the Secretary of the Senate be instructed to send an engrossed copy of these resolutions to the family of the late Senator Baldwin.

ROBT. BONSON,
A. B. FUNK,
D. J. PALMER.

In moving their adoption

SENATOR ROBERT BONSON,

of the Thirty-fifth district, spoke as follows:

We have met to-day to do honor to the memory of the Senators who died while serving as members of this body. As the successor of the late Senator Baldwin, I feel that it is proper for me to say a few words concerning his life and character.

Isaac W. Baldwin was born at Blair, Waterloo county, Ontario, in January, 1835. While yet a boy, in 1847, he moved with his parents to Saginaw, Mich., where his father erected and operated a large tannery. He was educated at Union College, Leoni, Mich., and graduated from that institution. In 1853 his parents again moved and came to Galena, Ill. Here Isaac W. Baldwin learned the tannery trade, and worked in the same shop with the immortal Ulysses S. Grant, and afterwards accepted the position made vacant by his resignation, when he joined the Union forces for the preservation of the Union. He was assistant postmaster of Galena during Lincoln's administration. At the close of the war he found himself penniless, and he set forth with his young family to seek better fields, and finally settled at Cascade, Iowa. Here he followed various business pursuits for several years with but varying financial success, until in 1877 he entered the journalistic field and became proprietor of the Cascade Pioneer, a weekly paper devoted principally to the interests of county

affairs. It was through this paper that he gained political prominence. A fearless writer in the cause of truth, he attacked political wrongs and advocated municipal reforms to such an extent that great political weight was given to his utterances.

When his home town was incorporated he was chosen as its first mayor. Subsequently in 1883 and again in 1885 he represented Dubuque county as Representative in the State Legislature of Iowa, and in 1893 he was elected on a reform ticket to represent the same county in the State Senate.

At the close of the session of the Legislature in 1894 the first symptoms of the disease that called him to the great beyond made its appearance, and although he fought bravely he could not battle against the inevitable, and he died of dropsy, February 9, 1895. He was twice married and leaves a widow and eight children to mourn his loss.

As a man he was courteous, kind and honest. In his official capacity he was faithful to the obligations imposed upon him and rendered conscientious and efficient services. He had many political battles, but in them all he buried his antipathies with the counting of the ballots, and no political foe can say that he was venomous or vindictive. His purpose was lofty and patriotic. He was not animated by the desire for public applause. He was simple in his manner, dress and habit. He lived for truth, not party, and he had the courage to fight against wrong and wrong doing, no matter where found. Such men are to be admired. I wish the world had more of them.

Senator A. B. Funk, of the Thirty-seventh district, Senator H. L. Waterman, of the Thirteenth district, and Senator G. W. Henderson, of the Fifteenth district, each made eloquent and eulogistic remarks relative to the high character and worth of the deceased Senator.

The resolutions were adopted by a rising vote.

The Journals of Wednesday and Thursday were taken up, read, corrected and approved.

Senator Upton moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

Senate adjourned.

SENATE CHAMBER.
DES MOINES, Iowa, Saturday, February 1, 1896. }

The Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Dr. Frisbie, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Rowen presented petition of F. M. Talcott and twenty others, relative to juvenile prisoners.

Referred to Committee on Penitentiaries and Pardons.

Senator Hurst presented petition of Geo. Kline and fourteen others, relative to the age of consent.

Referred to Committee on Judiciary.

Senator Berry presented petition of A. W. Richards and other citizens of Indianola, relative to the removal of soldier's monument and the erection of a memorial art hall.

Referred to Committee on Military.

Senator Mitchell presented petition of Rev. C. T. Wilson and 190 others, relative to the adulteration of food.

Referred to Committee on Public Health.

Senator Ellison presented remonstrance of citizens of Jones county, against manufacturers' bill.

Referred to Committee on Suppression of Intemperance.

Senator Trewin presented petition of James McEwen and others, relative to the age of consent.

Referred to Committee on Judiciary.

Senator Blanchard presented petition of Bee Keepers' association of Iowa relative to establishing an experimental apiary at the State Agricultural college, and asked it be read.

Referred to Committee on Public Health.

Senator Rowen presented four petitions of L. R. Grason and others, relative to age of consent.

Referred to Committee on Judiciary.

President Parrott presented petition of Herbert Osborn, secretary of the Iowa Academy of Sciences, on Memorial Hall.

Referred to Committee on Memorial Hall.

INTRODUCTION OF BILLS.

By Senator Blanchard, Senate file No. 143, a bill for an act to amend sections 1923 and 1941, Code of 1873.

Read first and second time and referred to Committee on Judiciary.

By Senator Druet, Senate file No. 144, a bill for an act to repeal section 5342, and to provide a substitute therefor.

Read first and second time and referred to Committee on Educational Institutions.

By Senator Funk, Senate file No. 145, a bill for an act to provide for taxation of express companies.

Read first and second time and referred to Committee on Ways and Means.

By Senator Garst, Senate file No. 146, a bill for an act to regulate primary elections, and punish frauds therein.

Read first and second time and referred to Committee on Elections.

By Senator Gilbertson, Senate file No. 147, a bill for an act to amend section 589 of the Code, in relation to the election of clerk of district courts.

Read first and second time and referred to Committee on Elections.

By Senator Hipwell, Senate file No. 148, a bill for an act to provide for payment of claims of Scott county against the State of Iowa for expenses of insane persons not having known place of residence.

Read first and second time and referred to Committee on Claims.

By Senator Hipwell, Senate file No. 149, a bill for an act to authorize manufacturing and sale and transportation of liquors.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Senator Hurst, Senate file No. 150, a bill for an act to authorize and regulate the sale of intoxicating liquors in counties, cities and towns.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Senator Lothrop (by request), Senate file No. 151, a bill for an act to prohibit assignment of claims for witness fees and giving orders for the same.

Read first and second time and referred to Committee on Judiciary.

By Senator Lothrop (by request), Senate file No. 152, a bill for an act repealing section 3630 of the Code, relating to special constables and enacting substitute therefor.

Read first and second time and referred to Committee on Judiciary.

By Senator Lothrop (by request), Senate file No. 153, a bill for an act to amend section 3842, chapter 8, title 23, Code of Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Rowen, Senate file No. 154, a bill for an act to legalize the incorporation of the town of Whitten, Hardin county, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Trewin, Senate file No. 155, a bill for an act to appropriate money to procure for the Governor's room in the Capitol portraits of Ex-Governors J. H. Gear, Sherman, Larrabee, Boies and Jackson.

Read first and second time and referred to Committee on Appropriations.

By Senator Young, Senate file No. 156, a bill for an act making appropriation for Hospital for Insane at Independence, Iowa.

Read first and second time and referred to Committee on Appropriations.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following resolution, in which the concurrence of the House was asked, relative to printing joint rules of the House and Senate.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed as amended, Joint Resolution No. 11, in which the concurrence of the House was asked, as follows:

Amended by providing that 20,000 additional maps be printed and given to the State Superintendent of Public Instruction for the use of the public schools.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill as amended:

Senate file No. 4, a bill for an act for the better protection of fish.

JAMES D. ROWEN,
Chief Clerk.

Senator Hospers was excused.

By request of Senator Trewin, Senator Carpenter was excused until Tuesday.

By request of Senator Phelps, Senator Gorrell was excused until Monday.

Senator Garst moved that the Senate take up the House messages.

Carried.

HOUSE MESSAGES.

Senator Waterman moved to take up Joint Resolution No. 11, relative to purchase of maps.

Carried and resolution taken up.

Senator Waterman moved that the Senate insist on its position on the resolution and that the President appoint a conference committee of four.

Carried.

The President appointed the following Senators as such committee:

Senators Waterman, Blanchard, Harriman and Craig.

House Joint Resolution No. 4, relative to the purchase of stationery for the use of members of the Senate and House, was taken up on motion of Senator Cheshire.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Waterman, Young.

The nays were:

None.

Absent or not voting

Senators Carpenter, Gorrell, Hospers, Kilburn, Lehfelddt..

So House Joint Resolution No. 4 passed.

Senator Funk moved that Senate bill No. 4, as amended, be taken up now.

Carried.

Moved by Senator Funk that House amendment to said bill be concurred in.

Carried.

On the question, "Shall the bill pass as amended?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Byers, Carney, Carroll, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harriman, Healy, Henderson, Hobart, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Upton, Waterman, Young—36.

The nays were:

Senators Harper, Hipwell, Hurst, Ranck and Trewin—5.

Absent or not voting:

Senators Allyn, Bonson, Carpenter, Cheshire, Downey, Gorrell, Hospers, Kilburn, Lehfelddt—9.

So the bill was declared passed as amended by the House and the title agreed to.

House message concurring in resolution relative to printing joint rules of House and Senate was ordered passed on file.

REPORT OF STANDING COMMITTEES.

Senator Carroll, from the Committee on Mines and Mining submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 30, a bill for an act to provide miner's oil inspection and maintain purity thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended to read as follows:

SECTION 1. That only pure animal or vegetable oil shall be used for illuminating purposes in any coal mine in this state. If any person, firm or corporation, either by themselves or agents or employe, shall sell or offer for sale for illuminating in any coal mine in this state any adulterated oil or any mixture or compound oil, he shall be deemed guilty of a misdemeanor, and upon conviction thereof he shall be fined not less than \$25 nor more than \$100 for each offense.

SEC. 2. If any mine owner or operator, or employe of such owner or operator, shall knowingly use, or if any mine operator shall knowingly permit to be used for illuminating purposes in any coal mine in this state any adulterated or mixed or compound oil he shall, upon conviction therefor, be fined not less than \$5 nor more than \$25 for each and every offense.

SEC. 3. It shall be the duty of the State Mine Inspector whenever he has reason to believe that oil is being used or sold, or offered for sale in violation of the provisions of this act, to take samples of the same and have them tested or analyzed, and if they are found to be impure he shall make complaint to the county attorney, who shall forthwith commence proceedings against the offender in any court of competent jurisdiction. For the purposes of this act the State Board of Health shall fix a standard of purity of oils and regulations for testing said oil and said standard, and regulations, when so fixed, shall be recognized in all the courts of the state.

SEC. 4. All reasonable expenses incurred in testing or analyzing oil under the provisions of section 3 of this act shall be paid by the owner of the oil whenever it shall be found that he is selling or offering to sell impure oil in violation of the provisions of this act. Such costs may be recovered in a civil action, and in criminal prosecutions under this act such expense shall be taxed as part of the costs.

SEC. 5. Nothing in this act shall be held to prevent the use of electric lights in any coal mines in this state.

SEC. 6. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

B. F. CARROLL,
Chairman.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 103, a bill for an act to revise, amend and codify the statutes, in relation to certain police regulations of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute for the title be adopted:

A bill for an act to codify the laws in relation to the election terms of office, and compensation of regents and trustees of state institutions.

Also, strike out the words "six" in line eight of section one and insert in lieu thereof the word "five," and that when so amended it do pass.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submits the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 112, a bill for an act to legalize the acts and proceedings of the board of supervisors of Louisa county, Iowa, in relation to restraining stock from running at large, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

REPORT OF VISITING COMMITTEES.

Senator Perrin made a report of the visiting committee to the Agricultural School at Ames, Iowa.

Ordered passed on file.

Senator Garst made a report of the visiting committee to the School for the Deaf and Dumb at Council Bluffs, Iowa.

Ordered passed on file.

Senator Ellis made a report of the visiting committee to the Soldiers' Orphans' Home at Davenport.

Ordered passed on file.

Senator Waterman moved that the question of medallions on soldiers' monument be made a special order for Wednesday, February 5th, at 10:30 o'clock A. M.

Carried.

Senator Phelps called up for consideration Senator Ellison's amendment to Senate file No. 7.

Amendment taken up.

Senator Healy moved the previous question.

Carried.

On the question, "shall the amendment be adopted?" the nays prevailed and the amendment was lost.

Senator Phelps moved that the rules be suspended and the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ericson, Funk, Harriman, Healy, Henderson, Hobart, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—31.

The nays were:

Senators Bonson, Ellis, Ellison, Everall, Gilbertson, Harper, Hipwell, Hurst, Lothrop, Pusey, Ranck—11.

Absent or not voting:

Senators Alexander, Byers, Carpenter, Downey, Garst, Gorrell, Hospers, Lehfeldt—8.

So the bill passed and its title agreed to.

Senator Garst moved that when the Senate do adjourn it be until Monday at 11 o'clock A. M.

Carried.

The Journal of Friday was taken up, read, corrected and adopted.

Senator Riggen moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, February 3, 1896. }

Senate met in regular session at 11 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. A. Black, of Des Moines.

Senator Everall was excused by request of Senator Craig, Senator Hobart by request of Senator Funk, and Senator Carpenter by request of Senator Trewin.

PETITIONS AND MEMORIALS.

Senator Craig for Senator Ellis (by request), presented petition of John Diehl and sixty-four others, relating to juvenile offenders.

Referred to Committee on Penitentiaries and Pardons.

Senator Junkin presented petition of H. H. Hamilton and forty-five others on same subject.

Referred to Committee on Penitentiaries and Pardons.

Senator Funk presented petition of twenty-five farmers of Dickinson county against legislation injurious to farmers' mutual insurance companies.

Referred to Committee on Insurance.

Senator Trewin presented memorial of teachers of Dallas and Boone counties in regard to flags on school houses.

Referred to Committee on Schools.

Senator Bonson presented petition of Rev. James Hill and thirty-three others relative to the age of consent.

Referred to Committee on Judiciary.

Senator Bonson presented memorial of Dubuque Teachers' Institute in regard to a tax levy for State University.

Referred to Committee on Educational Institutions.

Senator Ellison presented petition of Julius Peet and thirty-three others for prohibitory amendments.

Referred to Committee on Suppression of Intemperance.

Senator Rikken presented memorial of the city council of What Cheer, regarding change in the mulct law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Carroll, Senate file No. 157, a bill for an act to establish qualifications for county superintendents.

Read first and second time and referred to Committee on Schools.

By Senator Ellis, Senate file No. 158, a bill for an act to amend section 3798 of the Code, as substituted by chapter 184, section 3, acts of the Eighteenth General Assembly, relating to the salary of county auditors.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Senator Pusey, Senate file No. 159, a bill for an act to provide a standard form of fire insurance policies.

Read first and second time and referred to Committee on Insurance.

By Senator Trewin, Senate file No. 160, a bill for an act to revise and codify the law, in relation to the system of common schools, and provide for simple form of district organization; also defining the powers and duties of boards of directors.

Read first and second time and referred to Committee on Schools.

By Senator Trewin, Senate file No. 161, a bill for an act to establish and maintain five normal schools for the instruction and training of teachers; and to provide for the location of such schools.

Read first and second time and referred to Committee on Educational Institutions.

By Senator Waterman, Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive money due their respective counties.

Read first and second time and referred to Committee on Judiciary.

By Senator Waterman, Senate file No. 163, a bill for an act to amend section 398, Code of 1873, relating to embezzlement.

Read first and second time and referred to Committee on Judiciary.

By Senator Eaton, Senate file No. 164, a bill for an act to define and regulate building and loan associations.

Read first and second time and referred to Committee on Building and Loan Associations.

REPORT OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 12, a bill for an act providing for the better protection of logs and lumber lying or being on any of the waters of this state or bordering on this state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out section 4, and thus amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Senate file No. 76, a bill for an act to legalize the ordinances passed by the incorporated town of Glidden, Carroll county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended the second line of section 1 of the original bill, by substituting the word "of" for the word "with." In section 2 substitute the words "paid by the town of Glidden" in lieu of the words "without expense to the state," and as thus amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 106, a bill for an act regulating the forfeiture of contracts for sale of real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by substituting the word "any" for the word "all" in first line of section 1; also by adding the words "any contract or agreement of the parties to the contrary notwithstanding" at end of section 3; also by striking out section 4, and as thus amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 39, a bill for an act to relieve the asylum for destitute and orphan children at Andrew, Iowa, from its indebtedness to the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 3 of the bill be stricken out and as thus amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 9, a bill for an act to amend section 3861 of the Code as amended by section 1, chapter 114 of the acts of the Twenty-first General Assembly, in relation to the offenses against the life and person, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute bill be adopted in lieu thereof, and when adopted that the bill do pass.

A minority of the committee submit a report.

L. A. ELLIS,
Chairman.

Ordered passed on file.

The substitute for Senate file No. 9 was ordered printed in the Journal.

SUBSTITUTE FOR SENATE FILE NO. 9.

A bill for an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly be, and the same is hereby amended to read as follows: "If any person ravish and carnally know any female by force and against her will, or carnally know and abuse any female child under the age of 14 years, he shall be punished by imprisonment for life, or any term of years.

SEC. 2. If any person over the age of 18 years carnally know any female of previous chaste character under the age of 16 years and over the age of 14 years, he shall be, in the discretion of the court, punished by imprisonment in the penitentiary not exceeding five years or by fine not exceeding \$1,000, and imprisonment in the county jail not exceeding one year; provided, that if such persons marry each other at any time before judgment upon any indictment under this section, no further prosecution shall be had.

MINORITY REPORT OF THE COMMITTEE ON JUDICIARY RELATIVE TO
AGE OF CONSENT BILL.

The undersigned, a minority of the Committee on Judiciary, to whom was referred Senate file No. 9, a bill for an act to amend section 3861 of the Code as amended by section 1, chapter 114, acts of the Twenty-first General Assembly, in relation to offenses against the life and person, beg leave to report that they have had the same under consideration and recommend that substitute bill recommended by the committee be amended as follows: Strike out of section 1 the word "fourteen" and insert in lieu thereof the word "sixteen"; also strike out of section 2 the word "sixteen" and insert "eighteen"; also strike out the word "fourteen" and insert "sixteen"; also insert after "persons," the words, "the female being over fourteen years of age," and that when so amended the substitute do pass.

Respectfully submitted,

WILLIAM EATON,
W. O. MITCHELL,
JULIAN PHELPS,
W. F. HARRIMAN,
Committee.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, to whom was referred Senate file No. 44, a bill for an act granting consent to purchase by the United States of certain lands and jurisdiction over the same.

Also Senate file No. 6, a bill for an act tendering to the United States jurisdiction over certain Indians and their lands and the privilege of purchasing lands in Tama county for Indian school purposes.

Also Senate file No. 4, a bill for an act for the better protection of fish.

Also Joint Resolution No. 5, relative to newspaper reporters shall be entitled to draw stationery supplies.

Also House file No. 28, a bill for an act appropriating money to pay G. A. West for three days' service as Mail Carrier after the adjournment of the Twenty-fifth General Assembly, respectfully report that they have examined the same and find the same correctly enrolled.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Funk presented the report of the visiting committee to the Hospital for the Insane at Clarinda.

Ordered passed on file.

Senator Lothrop moved that the majority and minority reports of the Judiciary Committee, on Senate file No. 9, be printed.

Carried.

The Journal of Saturday was taken up, read, corrected and adopted.

Senator Harper introduced the following resolution:

Resolved, That the Senate be provided with a daily calendar.

Adopted.

Senator Harper moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, February 4, 1896. }

The Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. Scott W. Smith, pastor of the Presbyterian church at Boone, Iowa.

PETITIONS AND MEMORIALS.

Senator Rowen presented three petitions of Edward Benedict and others, relative to the age of consent.

Referred to Committee on Penitentiaries and Pardons.

Senator Rowen presented petition of H. E. Gardner and others in favor of the passage of House file No. 31, relating to beneficiary societies.

Referred to Committee on Insurance.

Senator Harper presented petition of Charles G. Bord and others relative to licensing plumbers.

Referred to Committee on Public Health.

Senator Berry presented petition of A. W. Richards against Waterman's resolution.

Referred to Committee on Military.

Senator Phelps presented memorial of Farmers' Institute of Shelby, Iowa, relating to farmers' mutual insurance companies.

Referred to Committee on Insurance.

Senator Ellis presented petition of Woman's Relief Corps, in relation to Soldiers' Home.

Referred to Committee on Appropriations.

Senator Ericson presented petition of D. W. Detar and forty-three others, relative to licensing plumbers.

Referred to Committee on Public Health.

Senator Ericson presented petition of M. D. McGregor and seventy-four others, relating to the office of county surveyor.

Referred to Committee on Compensation of Public Officers.

Senator Waterman presented petition of C. W. Messenger and others relative to the age of consent.

Referred to Committee on Judiciary.

Senator Carpenter presented petition of R. C. Schenck and others relative to licensing plumbers.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Alexander, Senate file No. 165, a bill for an act to fix amount of civil damages for making and selling adulterated foods and drinks.

Read first and second time and referred to Committee on Public Health.

By Senator Bonson, senate file No. 166, a bill for an act to authorize the historical department of Iowa to purchase certain unpublished manuscript known as a history of the Iowa troops in the war of the rebellion.

Read first and second time and referred to Committee on Appropriations.

By Senator Downey, Senate file No. 167, a bill for an act to amend chapter 47, acts of the Eighteenth General Assembly.

Read first and second time and referred to Committee on Agriculture.

By Senator Druet, Senate file No. 168, a bill for an act to amend section 2527 of McClain's Code.

Read first and second time and referred to Committee on Public Health.

By Senator Ellis (by request), Senate file No. 169, a bill for an act to govern foreign building and loan associations.

Read first and second time and referred to Committee on Building and Loan Associations.

By Senator Ericson, Senate file No. 170, a bill for an act regulating fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa.

Read first and second time and referred to Committee on Corporations.

By Senator Healy, Senate file No. 171, a bill for an act to repeal section 2580 of the Code, and enact a substitute therefor relating to the venue and change therefor, in actions aided by attachment.

Read first and second time and referred to Committee on Judiciary.

By Senator Hipwell, Senate file No. 172, a bill for an act to make appropriation for Soldier's Orphan's Home and Home for Indigent Children at Davenport.

Read first and second time and referred to Committee on Appropriations.

By Senator Henders. Senate file No. 171, a bill for an act to amend ~~the~~ and laws of ~~the~~ in negotiable paper.

Read first and second time and referred to Committee on Banking.

By Senator Henders. Senate file No. 172, a bill for an act to amend section 1717 of Code of 1871, as amended by chapter 51, laws of 1902.

Read first and second time and referred to Committee on Judiciary.

By Senator Henders. Senate file No. 173, a bill for an act for the permanent support and maintenance of the State University and to provide for the erection of necessary buildings.

Read first and second time and referred to Committee on Ways and Means.

By Senator Henders. Senate file No. 174, a bill for an act to make appropriation for the State University in its several departments and in aid of the income fund for the development of the institution and for the erection of buildings.

Read first and second time and referred to Committee on Appropriations.

By Senator Henders. Senate file No. 175, a bill for an act governing of planning and planters in all cities and towns having water supply and sewerage.

Read first and second time and referred to Committee on Public Health.

Senator Henderson introduced the following resolution and moved its adoption.

Resolved. That the freedom of the Senate floor be extended to the extension of the State Lake public schools.

Adopted.

Senator Laidrop offered the following resolution and moved its adoption.

WHEREAS. The supply of printed copies of Senate file No. 109, relating to appellate courts, has been exhausted and there are numerous requests for copies of the same; therefore, be it

Resolved. That the Secretary of the Senate be and is hereby directed to have an additional two hundred copies of said bill printed.

Adopted.

Senator Blanchard offered the following resolution, and asked that it be read and laid over:

WHEREAS, The Twenty-fifth General Assembly created a Code Commission "to revise and codify the laws of Iowa," empowering such commission "to revise the same and divide them into appropriate parts and arrange them under appropriate titles, chapters and sections; omit all parts repealed or obsolete, insert all amendments, and make the laws complete"; also "to change the phraseology and make any and all alterations necessary to improve, systematize, harmonize and make the laws clear and intelligible;" and

WHEREAS, Such Commission has construed the language of such act to authorize them to make any alterations and changes in the existing laws which they deemed proper or desirable, and have prepared a proposed Code, which is not merely a codification of existing laws, but which omits a large portion of the existing laws and substitutes other proposed laws of different import, and have made innumerable alterations not only in the language, but in the spirit, purport and effect of the various statutes, the new matter being intermingled with the old in such a manner that it will require a vast amount of labor and much more time to properly consider it in detail so that intelligent actions can be had thereon than will be at the disposal of this General Assembly; and

WHEREAS, It is now apparent that it will be impossible for this General Assembly to adopt a new Code, and that should the General Assembly go through the Code in detail, so many alterations will have been made including new legislation, that a new Code Commission will be required to complete the work; therefore,

Resolved, by the Senate, the House concurring, That no further consideration be given to the proposed Code during the present session, and at the close of the session a new commission of one or more members be appointed (by a properly prepared bill) to codify the existing laws without change or alteration, except to omit such laws as have been repealed, and arrange all existing public laws under proper titles, chapters and sections, thus compiling a Code of laws which will require no further action on the part of the General Assembly.

Senator Lothrop moved that the resolution introduced by Senator Blanchard be printed.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submits the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 110, a bill for an act legalizing the proceedings of the board of supervisors of Wright county in locating and constructing a drain through the incorporated town of Clarion, in said county, and in making the apportionment of the cost, expenses, cost of construction, fees and compensation for property appropriated and damages sustained by the construction of the drain, and in assessing the same among the owners of

the land benefited thereby, and in levying the same as a tax against the lands of the owners so benefited, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Rowen moved a re-reference of report of Committee on Judiciary on Senate file No. 110.

Senator Cheshire moved to lay the motion on the table.

Carried.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 64, a bill for an act to revise, amend and codify the statutes in relation to the state and legislative departments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same, be amended as follows:

Insert in line 4, section 11, chapter 3, after the word "the" and before the word "university," the word "state;" also in line 5, section 11, chapter 3, after the word "the," and before the word "historical," the word "state;" also, that sub-section 18 of section 15, chapter 3, be stricken out and the following inserted in lieu thereof: The words "written" and "in writing," may include printing, engraving, lithography, or any other mode of representing words and letters, excepting those cases where the written signature or mark of any person is required;" also in line 2, section 2, chapter 5, strike out the word "such" after the word "by" and before the word "general" and insert in lieu thereof the words "the last," and that when so amended the bill do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 3, a bill for an act to amend section 1726 of the Code of 1873, allowing boards of directors to establish kindergarten schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, when amended so as to read as follows:

A bill for an act to amend section 1726 of the Code of 1873, and allowing boards of directors to establish kindergarten schools.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1726 of the Code of 1873 is hereby amended by adding the following at the close thereof: "and the board shall have power to establish and maintain one or more kindergarten schools in any

sub-district or independent district containing at least fifteen children over 4 and under 6 years of age, for the instruction of such children only, and for this purpose they may employ a special teacher or teachers, to pass such examination before the county superintendent as may be prescribed by the state board of examiners, and provide the furniture and appliances suitable for such instruction, and if it is found necessary in order to provide a place or places in which such schools may be held, they may rent a room or rooms for that purpose."

J. H. TREWIN,
Chairman.

Ordered passed on file.

REPORTS OF VISITING COMMITTEES.

Senator Mitchell presented joint report of visiting committee to the Institute for the Feeble Minded at Glenwood.

Ordered passed on file.

Senator Rowen presented report of joint visiting committee to the State Fish Hatchery.

Ordered passed on file.

Senator Gorrell presented report of joint visiting committee for the Hospital for the Insane at Mt. Pleasant.

Ordered passed on file.

Senator Druet presented joint report of visiting committee to the Industrial School for Boys at Eldora.

Ordered passed on file.

Senator Craig asked that Senator Everall be excused, and Senator Perrin was excused by request of Senator Palmer.

Senator Carpenter called up for consideration Senate file No. 112, a bill for an act legalizing the proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large.

Senator Carpenter moved that the rules be suspended and the bill read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Phelps, Pusey, Ranck, Rigger, Rowen, Upton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Byers, Ellis, Everall, Funk, Harriman, Lehfelddt, Mitchell, Perrin, Sargent, Trewin, Waterman—11.

So the bill passed and the title was agreed to.

Senator Blanchard called up for consideration Senate file No. 30, a bill relating to the use of impure oils in mining, and moved that the report of the committee be adopted.

Carried.

Senator Blanchard moved that the rules be suspended and that the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Phelps, Ranck, Rigger, Rowen, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Byers, Everall, Funk, Harriman, Lehfelddt, Perrin, Pusey, Sargent, Trewin—9.

So the bill passed, and by unanimous consent the title was amended to read as follows: "A bill for an act prohibiting the sale and use of impure oil in mines, and providing penalties for violation thereof.

Senator Healy called up for consideration Senate file No. 106, a bill for an act relating to contracts for sale of real estate, with report of committee recommending it do pass.

It was taken up, considered, and the report of the committee was adopted.

On motion of Senator Healy the rules were suspended and the bill engrossed and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Phelps, Rigger, Rowen, Trewin, Upton, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Berry, Everall, Funk, Harriman, Hurst, Junkin, Lehfelddt, Perrin, Pusey, Ranck, Sargent—11.

So the bill was declared passed and the title agreed to.

Senator Garst called up for consideration Senate file No. 76, a bill for an act to legalize acts of incorporation of the town of Glidden, Iowa, with report of committee recommending it do pass.

It was taken up, considered and the report of the committee was adopted.

On motion of Senator Garst the rules were suspended, the bill was considered engrossed and read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Phelps, Riggen, Trewin, Upton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Everall, Funk, Harriman, Hipwell, Hurst, Junkin, Lehfelddt, Penrose, Perrin, Pusey, Ranck, Rowen, Sargent, Waterman—14.

So the bill was passed and the title agreed to.

Senator Ellis called up for consideration Senate file No. 12, a bill for an act for the better protection of the ownership of logs and lumber lying or being in any of the waters of the state or bordering on this state, and moved to amend the report of the committee by adding the following:

"SEC. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa."

Report of committee as amended was adopted.

Senator Trewin moved to amend the bill by striking out the word "ownership" in the tenth line and inserting the word "identification" in lieu thereof.

Carried.

Senator Ellis moved that the bill be amended by inserting the word "or" in the first line of the bill.

Carried.

Senator Ellis moved that the rules be suspended and the bill be considered engrossed and read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Lothrop, Palmer, Penrose, Phelps, Rigger, Rowen, Sargent, Upton, Waterman—36.

The nays were:

None.

Absent or not voting:

Senators Bell, Everall, Funk, Harper, Harriman, Hurst, Kilburn, Lehfeltdt, Mitchell, Perrin, Pusey, Ranck, Trewin, Young—14.

So the bill passed.

Senator Harper moved that the title be amended by adding the words, "and providing penalties for the violation thereof."

The title as amended was agreed to.

Senator Berry gave notice that he would file a motion to reconsider the vote on Senate file No. 12.

Senator Harriman asked leave to present the report of visiting committee to State Normal School, at Cedar Falls.

Report ordered passed on file.

Senator Kilburn asked extension of time in which to make report of visiting committee to school for blind at Knoxville.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

MR. SPEAKER—Your Committee on Rules recommends the adoption of the following:

CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring, That the following joint rules be adopted:

JOINT RULES.

1. Whenever either House shall amend a measure, and the other House shall refuse to concur in and adopt the amendment, the House which has

adopted such amendment shall either insist on, or recede from the same. In case a motion to insist on the amendment be decided in the negative, such action shall be deemed a receding from the amendment and so entered upon the Journal of such House. In case the amendment is insisted upon, the House so insisting shall request a Committee of Conference on the subject of disagreement, and shall appoint a committee therefor. The other House shall thereupon appoint such committee. Unless another number is specified in said request, such Conference Committee shall consist of four members from each House. They shall meet at a convenient time, to be agreed upon by their chairman, and having conferred freely, each shall report to their respective House the result of their conference. In case of agreement, the report shall be first made, with the papers referred accompanying it, to the House which refused to concur, and there acted upon; and such action shall be immediately reported by the Secretary or Clerk to the other House, the papers referred accompanying the message. In case of disagreement of Conference Committee, the papers shall remain with the House which insisted on the amendment. The agreeing report of a Conference Committee shall be made, read and signed in duplicate by all the members of the committee, or by a majority of those of each House, one of the duplicates being retained by the committee of each House. Should either House disagree to the report of the committee, such House shall appoint a second committee, and request a further conference, which shall be acceded to by the other House before adhering. The motion for a Committee of Conference and the report of such committee shall be in order at any time. When both Houses shall have adhered to their disagreement, a bill or resolution is lost.

2. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent, by the Doorkeeper thereof, and shall be respectfully communicated to the Chair by the person by whom it is sent.

3. All messages between the two Houses shall be communicated by the Secretary or Chief Clerk, or their respective assistants.

4. When a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the Secretary or Clerk thereof.

5. When bills are enrolled they shall be examined by a Joint Committee of two from the Senate and two from the House of Representatives, who shall be a standing committee for that purpose, and who shall carefully compare the enrollment with the engrossed bills, as passed in the Houses, correct any errors therein, and make report thereof forthwith to their respective Houses.

6. After the report, each bill shall be signed, first by the Speaker of the House of Representatives, and then by the President of the Senate, in the presence of their respective Houses.

7. After the bill shall have been thus signed in each House, it shall be forthwith presented by Committee of the House in which the bill originated to the Governor for his approval, and they shall forthwith report the date of presentation, which shall be entered upon the Journal of the House in which the bill originated.

8. All orders, resolutions, memorials or other votes, which are to be presented to the Governor for his approval, shall be enrolled, examined, signed and presented in the same manner as bills.

9. When any bill, resolution or memorial, which shall have passed in one House, is rejected, or adopted in the other, notice of such action shall be given to the House which passed the same. And each bill, resolution or memorial shall have properly endorsed thereon, at time of its transmission, a statement, signed by the Secretary or Clerk, of the action which had been taken thereon by the House transmitting the same, with the dates thereof.

10. When a bill, resolution or memorial, which shall have passed one House, is rejected in the other, it shall not be again introduced during the session without five days' notice, and leave of a majority of the members of the House in which the same is sought to be introduced.

11. Each House shall transmit to the other, with any bill, resolution or memorial, all papers upon which the same shall be founded.

12. When any report, bill or resolution shall be ordered printed, by either House, without stating the number, 300 hundred copies shall be printed for the use of both Houses; but when any bill or resolution, which may have passed one House, is ordered printed by the other, a greater number of copies shall not be printed than the House making the order shall determine.

13. It shall be the duty of the Chief Clerk of the House of Representatives, and the Secretary of the Senate, when any document, except bills and resolutions, is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

14. In all elections in Joint Convention of the two Houses, the names of all the members shall be arranged in alphabetical order, and they shall be called upon to vote in the order in which they stand arranged.

15. It shall be the duty of the Committee on Claims in each House to keep a book of record, in which shall be entered each claim for money against the state referred to them, whether presented in favor of private persons, or municipal or other corporations, entering therein the name of the claimant, the amount of the claim, and the grounds thereof, with a note of the evidence offered in support of the same, and the final conclusion of the committee thereon. At the close of the session, said book of record shall be deposited with the Auditor of State, to be kept by him; and he shall provide an index, showing the names of the claimants recorded therein. At any subsequent session the same shall be delivered, when desired, to the like committee having jurisdiction of such claims, and shall always be open to the examination of the said committee of either House.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

JOINT RESOLUTION NO. 6.

Resolved, By the General Assembly of the State of Iowa, That the sum of five dollars per day for each session of the House and Senate respectively be and is hereby appropriated for the payment of the clergymen who officiate as Chaplains.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

WHEREAS, A system of gambling in the future prices of our country's products by and through boards of trade of our great commercial centers has obtained a foothold which is largely destructive of our business interests, subverting from its proper channels the regulating of such prices by the proper laws of supply and demand, and inimical to the morals of our people; therefore, be it

Resolved, by the Twenty-Sixth General Assembly, That we memorialize our National Congress now in session at Washington, D. C., to enact a stringent law prohibiting all such gambling in the probable future prices of our country's products (principal among which products are grains, pork products, cotton, commercial oils, etc.) and that all parties proposing or agreeing to sell such products must be possessed of such offered products or storage certificates therefor, and also providing strong and sufficient penalties for the violation of such national statutes.

JAMES D. ROWEN,
Chief Clerk.

The Journal of Monday was taken up, read, corrected and adopted.

Senator Carroll moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

Carried.

Senate adjourned

The following list shows the committee assignments of the various members of the Senate:

ALEXANDER	{ Public Buildings—Chairman. Appropriations. Cities and Towns. Congressional and Judicial Districts. Insurance. Banks. Manufactures.
ALLYN	{ Retrenchment and Reform—Chair'n. Ways and Means. Banks. Senatorial and Representative Dist's. Penitentiaries and Pardons. Charitable Institutions. Claims.
BELL	{ Horticulture and Forestry—Ch'm'n. Railways. Agriculture. Educational Institutions. Military. Penitentiaries and Pardons. Printing.

BERRY.....	<ul style="list-style-type: none"> Public Libraries—Chairman. Ways and Means. Railways. Congressional and Judicial Districts. Federal Relations. Rules. Code Revision.
BLANCHARD.....	<ul style="list-style-type: none"> Educational Institutions—Chairman. Judiciary. Cities and Towns. Congressional and Judicial Districts. Mines. Federal Relations. Commerce.
BONSON.....	<ul style="list-style-type: none"> Judiciary. Cities and Towns. Suppression of Intemperance. Congressional and Judicial Districts. Banks. Educational Institutions. Charitable Institutions. Engrossed Bills.
BYERS.....	<ul style="list-style-type: none"> Engrossed Bills—Chairman. Railways. Constitutional Amendments. Schools. Labor. Senatorial and Representative Dists. Pharmacy.
CARNEY.....	<ul style="list-style-type: none"> Elections—Chairman. Cities and Towns. Suppression of Intemperance. Schools. Banks. Pharmacy. Code Revision.
CARPENTER.....	<ul style="list-style-type: none"> Code Revision—Chairman. Judiciary. Banks. Senatorial and Representative Dists. Federal Relations. Rules. Semi-Centennial and Memorial Hall.
CARROLL.....	<ul style="list-style-type: none"> Mines and Mining—Chairman. Ways and Means. Schools. Labor. Printing. Public Buildings. Enrolled Bills.
CHESHIRE.....	<ul style="list-style-type: none"> Cities and Towns—Chairman. Judiciary. Constitutional Amendments. Mines. Public Health. Commerce. Building and Loan.

CRAIG	<ul style="list-style-type: none"> Military—Chairman. Appropriations. Constitutional Amendments. Insurance. Pharmacy. Code Revision.
DOWNEY	<ul style="list-style-type: none"> Appropriations. Congressional and Judicial Districts. Agriculture. Labor. Mines. Public Health. Penitentiaries and Pardons. Building and Loan.
DRUET	<ul style="list-style-type: none"> Manufactures—Chairman. Appropriations. Labor. Mines. Public Health. Penitentiaries and Pardons.
EATON	<ul style="list-style-type: none"> Building and Loan—Chairman. Judiciary. Congressional and Judicial Districts. Constitutional Amendments. Schools. Elections. Retrenchment and Reform.
ELLIS	<ul style="list-style-type: none"> Judiciary—Chairman. Cities and Towns. Suppression of Intemperance. Compensation of Public Officers. Commerce. Corporations. Building and Loan.
ELLISON	<ul style="list-style-type: none"> Commerce—Chairman. Judiciary. Constitutional Amendments. Banks. Senatorial and Representative Dis'ts. Pharmacy. Compensation of Public Officers.
ERICSON	<ul style="list-style-type: none"> Claims—Chairman. Ways and Means. Cities and Towns. Schools. Compensation of Public Officers. Manufactures. Building and Loan.
EVERALL	<ul style="list-style-type: none"> Ways and Means. Appropriations. Agriculture. Insurance. Schools. Senatorial and Representative Dis't Military. Claims.

FUNK	<ul style="list-style-type: none"> Ways and Means—Chairman. Appropriations. Suppression of Intemperance. Public Health. Printing. Public Lands. Code Revision. Building and Loan.
GARST	<ul style="list-style-type: none"> Insurance—Chairman Appropriations. Railway. Suppression of Intemperance. Educational Institutions. Claims.
GILBERTSON	<ul style="list-style-type: none"> Enrolled Bills—Chairman. Appropriations Suppression of Intemperance. Banks. Compensation of Public Officers. Elections. Corporations. Code Revision.
GORRELL	<ul style="list-style-type: none"> Public Health—Chairman. Appropriations. Constitutional Amendments. Highways. Pharmacy. Charitable Institutions. Horticulture and Forestry.
HARPER	<ul style="list-style-type: none"> Judiciary. Constitutional Amendments. Insurance. Federal Relations. Elections. Commerce. Public Library. Code Revision. Cities and Towns. Semi-Centennial and Memorial Hall.
HARRIMAN	<ul style="list-style-type: none"> Highways—Chairman. Judiciary. Appropriations. Agriculture. Public Health. Horticulture and Forestry.
HEALY	<ul style="list-style-type: none"> Corporations—Chairman. Judiciary. Congressional and Judicial Districts. Labor. Mines. Printing. Public Lands.
HENDERSON	<ul style="list-style-type: none"> Fish and Game—Chairman. Agriculture. Senatorial and Representative Dis'ts. Highways. Military.

HIPWELL	<ul style="list-style-type: none"> Ways and Means. Cities and Towns. Suppression of Intemperance. Labor. Mines. Compensation of Public Officers. Manufactures. Corporations.
HOBART	<ul style="list-style-type: none"> Compensation of Public Officers—Chm Railways. Congressional and Judicial Districts. Educational Institutions. Claims. Code Revision. Charitable Institutions.
HOSPERS	<ul style="list-style-type: none"> Banks—Chairman. Ways and Means. Cities and Towns. Suppression of Intemperance Agriculture. Elections. Commerce.
HOTCHKISS	<ul style="list-style-type: none"> Printing—Chairman. Appropriations. Constitutional Amendments. Insurance. Labor. Educational Institutions. Military. Engrossed Bills.
HURST	<ul style="list-style-type: none"> Ways and Means. Appropriations. Railways. Senatorial and Representative Dis'ts. Highways. Military. Pharmacy. Printing. Retrenchment and Reform. Public Buildings.
JUNKIN	<ul style="list-style-type: none"> Charitable Institutions—Chairman. Congressional and Judicial Districts. Penitentiaries and Pardons. Retrenchment and Reform. Code Revision. Building and Loan.
KILBURN	<ul style="list-style-type: none"> Labor—Chairman. Appropriations. Agriculture. Insurance. Schools. Highways. Military.
LEHFELDT	<ul style="list-style-type: none"> Ways and Means. Agriculture. Charitable Institutions. Commerce. Retrenchment and Reform. Public Buildings. Horticulture and Forestry.

LOTHROP	{ Public Lands—Chairman. Cities and Towns. Senatorial and Representative Dis'ts Federal Relations. Code Revision. Building and Loan.
MITCHELL	{ Rules—Chairman. Judiciary. Agriculture. Public Health. Retrenchments and Reform. Manufactures. Public Libraries.
PALMER	{ Agriculture—Chairman. Ways and Means. Railways. Suppression of Intemperance. Highways. Public Health. Educational Institutions. Military.
PENROSE	{ Railways—Chairman. Ways and Means Public Health. Educational Institutions. Compensation of Public Officers. Charitable Institutions. Claims.
PERRIN	{ Suppression of Intemperance—Chm. Judiciary. Ways and Means. Schools. Mines. Charitable Institutions. Retrenchment and Reform.
PHELPS	{ Constitutional Amendments—Chm. Judiciary. Appropriations. Railways. Insurance. Schools. Rules.
PUSEY	{ Federal Relations—Chairman. Ways and Means. Cities and Towns. Insurance. Banks. Pharmacy. Code Revision.
RANCK	{ Judiciary. Railways. Constitutional Amendments Schools. Public Health. Educational Institutions. Rules. Enrolled Bills. Code Revision.

RIGGEN	{ Pharmacy—Chairman. Ways and Means. Railways. Suppression of Intemperance. Mines. Public Health. Military.
ROWEN	{ Penitentiaries and Pardons—Chair'n. Constitutional Amendments. Insurance. Labor. Printing. Code Revision. Building and Loan
SARGENT	{ Ways and Means. Suppression of Intemperance. Highways. Pharmacy. Charitable Institutions. Claims. Building and Loan.
TREWIN	{ Schools—Chairman. Cities and Towns. Highways. Penitentiaries and Pardons. Fish and Game. Code Revision. Semi-Centennial and Memorial Hall
UPTON	{ Senatorial and Representative Dist's Judiciary. [Chairman. Railways. Congressional and Judicial Districts. Elections. Corporations.
WATERMAN	{ Appropriations—Chairman. Cities and Towns. Suppression of Intemperance. Federal Relations. Elections. Code Revision. Building and Loan.
YOUNG	{ Congressional and Judicial Districts Railways. [Chairman. Agriculture. Insurance. Highways. Public Buildings. Horticulture and Forestry. Fish and Game.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday. February 5, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. J. M. Acheson, of Winterset, Iowa.

PETITIONS AND MEMORIALS.

Senator Rowen presented petition of Byron Lewis and others in favor of House File No. 1.

Referred to Committee on Judiciary.

Senator Gorrell presented petition of Perry Engle and others in reference to the removal of the dam at Bonaparte.

Referred to Committee on Fish and Game.

Senator Harper presented petition of Rev. Ludwig Holmes and his church council in reference to the age of consent.

Referred to Committee on Judiciary.

Senator Phelps presented petition of Harlan Post G. A. R., relating to exemptions from taxation.

Referred to committee on Ways and Means.

Senator Phelps presented petition of Cass County Farmers' Institute relating to hog cholera.

Referred to Committee on Agriculture.

Senator Waterman presented petition of F. E. Friday and others relating to fraternal beneficiary societies.

Referred to Committee on Insurance.

Senator Waterman presented petition of J. S. Riggs and others in regard to fraternal insurance.

Referred to Committee on Insurance.

Senator Bell presented memorial of Geo. Strong Post G. A. R., relative to the Iowa soldiers' monument

Referred to Committee on Military.

Senator Funk presented petition of M. J. Walsh and others, relative to fraternal insurance

Referred to Committee on Judiciary.

Senator Riggen presented petition of Dr. E. W. Clark and others in reference to licensing plumbers.

Referred to Committee on Public Health.

Senator Carpenter presented petition of S. P. Young and others in reference to catching fish in sloughs.

Referred to Committee on Fish and Game.

Senator Riggen presented petition of city council of What Cheer in reference to change of registration laws.

Referred to Committee on Elections.

Senator Blanchard presented petition of Farmers' Institute of Mahaska county, relative to combination of insurance companies.

Referred to Committee on Insurance.

Senator Hobart presented petition of T. E. Cole and others, relative to licensing plumbers.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Lothrop, Senate file No. 178, a bill for an act to amend section 3, chapter 41, laws of the Twenty-fifth General Assembly, relating to public libraries.

Read first and second time and referred to Committee on Public Libraries.

By Senator Lothrop, Senate file No. 179, a bill for an act to amend section 798 of McClain's Code, and to provide for the duties of city marshal to be performed by other city officers.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Lothrop, Senate file No. 180, a bill for an act extending the term of certain county officers and provide for the election thereof.

Read first and second time and referred to Committee on Elections.

By Senator Waterman, Senate file No. 181, a bill for an act to amend chapter 7, acts of the Twentieth General Assembly relative to appointment of city marshal.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Blanchard, Senate file No. 182, a bill for an act to provide for the examination of mine foremen, and to regulate their employment.

Read first and second time and referred to Committee on Mines and Mining.

By Senator Carpenter, Senate file No. 183, a bill for an act to make annual appropriation to the State Agricultural Society.

Read first and second time and referred to Committee on Agriculture.

By Senator Hurst, Senate file No. 184, a bill for an act to amend section 3, chapter 105 of the Twenty-second General Assembly, by fixing the compensation of the members of the Soldiers' Relief Commission.

Read first and second time and referred to Committee on Military.

Senator Upton offered the following resolution:

Resolved, That the Custodian be instructed to place storm sashes on the windows of the Senate Chamber.

Adopted.

President Parrott presented communication from the president of Storm Lake schools, asking that the Senate hold short afternoon session to-day for the benefit of 700 school children, who were then en route on a special excursion train.

REPORTS OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 42, a bill for an act to prevent garnishment proceedings against persons for wages when the same are exempt by the laws of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 108, a bill for an act to amend section 3327 of the Code of 1873, in relation to the cancellation of real estate mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 117, a bill for an act relating to the assignment and release of judgments, mortgages and deeds of trust by administrators, executors, guardians appointed in other states and counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 127, a bill for an act to require the United States flag to be placed upon all public school buildings in Iowa, or upon a flag pole erected within the school grounds surrounding such building, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 77, a bill for an act to make February 22 a legal holiday in the State of Iowa and closing all schools on that day, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

REPORTS OF VISITING COMMITTEES. .

Senator Rigger presented report of Visiting Committee to the penitentiary at Anamosa.

Senator Waterman presented report of Visiting Committee to the State University.

Senator Hotchkiss presented report of Visiting Committee to Hospital for the Insane at Independence.

Senator Carroll asked further time to make additional report for School for the Blind at Vinton.

Senator Phelps asked that Senator Eaton be excused.

Senator Craig called up for consideration Senate File No. 3, a bill for an act to amend section 1726, Code of 1873, allowing

Absent or not voting:

Senators Byers, Ellis, Everall, Funk, Harriman, Lehfelddt, Mitchell, Perrin, Sargent, Trewin, Waterman—11.

So the bill passed and the title was agreed to.

Senator Blanchard called up for consideration Senate file No. 30, a bill relating to the use of impure oils in mining, and moved that the report of the committee be adopted.

Carried.

Senator Blanchard moved that the rules be suspended and that the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Phelps, Ranck, Rikken, Rowen, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Byers, Everall, Funk, Harriman, Lehfelddt, Perrin, Pusey, Sargent, Trewin—9.

So the bill passed, and by unanimous consent the title was amended to read as follows: "A bill for an act prohibiting the sale and use of impure oil in mines, and providing penalties for violation thereof.

Senator Healy called up for consideration Senate file No. 106, a bill for an act relating to contracts for sale of real estate, with report of committee recommending it do pass.

It was taken up, considered, and the report of the committee was adopted.

On motion of Senator Healy the rules were suspended and the bill engrossed and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Phelps, Rikken, Rowen, Trewin, Upton, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Berry, Everall, Funk, Harriman, Hurst, Junkin, Lehfeldt, Perrin, Pusey, Ranck, Sargent—11.

So the bill was declared passed and the title agreed to.

Senator Garst called up for consideration Senate file No. 76, a bill for an act to legalize acts of incorporation of the town of Glidden, Iowa, with report of committee recommending it do pass.

It was taken up, considered and the report of the committee was adopted.

On motion of Senator Garst the rules were suspended, the bill was considered engrossed and read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Phelps, Riggen, Trewin, Upton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Everall, Funk, Harriman, Hipwell, Hurst, Junkin, Lehfeldt, Penrose, Perrin, Pusey, Ranck, Rowen, Sargent, Waterman—14.

So the bill was passed and the title agreed to.

Senator Ellis called up for consideration Senate file No. 12, a bill for an act for the better protection of the ownership of logs and lumber lying or being in any of the waters of the state or bordering on this state, and moved to amend the report of the committee by adding the following:

"SEC. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa."

Report of committee as amended was adopted.

Senator Trewin moved to amend the bill by striking out the word "ownership" in the tenth line and inserting the word "identification" in lieu thereof.

Carried.

BERRY.....	<ul style="list-style-type: none"> Public Libraries—Chairman. Ways and Means. Railways. Congressional and Judicial Districts. Federal Relations. Rules. Code Revision.
BLANCHARD.....	<ul style="list-style-type: none"> Educational Institutions—Chairman. Judiciary. Cities and Towns. Congressional and Judicial Districts. Mines. Federal Relations. Commerce.
BONSON.....	<ul style="list-style-type: none"> Judiciary. Cities and Towns. Suppression of Intemperance. Congressional and Judicial Districts. Banks. Educational Institutions. Charitable Institutions. Engrossed Bills.
BYERS.....	<ul style="list-style-type: none"> Engrossed Bills—Chairman. Railways. Constitutional Amendments. Schools. Labor. Senatorial and Representative Dists. Pharmacy.
CARNEY.....	<ul style="list-style-type: none"> Elections—Chairman. Cities and Towns. Suppression of Intemperance. Schools. Banks. Pharmacy. Code Revision.
CARPENTER.....	<ul style="list-style-type: none"> Code Revision—Chairman. Judiciary. Banks. Senatorial and Representative Dists. Federal Relations. Rules. Semi-Centennial and Memorial Hall.
CARROLL.....	<ul style="list-style-type: none"> Mines and Mining—Chairman. Ways and Means. Schools. Labor. Printing. Public Buildings. Enrolled Bills.
CHESHIRE.....	<ul style="list-style-type: none"> Cities and Towns—Chairman. Judiciary. Constitutional Amendments. Mines. Public Health. Commerce. Building and Loan.

CRAIG	<ul style="list-style-type: none"> Military—Chairman. Appropriations. Constitutional Amendments. Insurance. Pharmacy. Code Revision.
DOWNEY	<ul style="list-style-type: none"> Appropriations. Congressional and Judicial Districts. Agriculture. Labor. Mines. Public Health. Penitentiaries and Pardons. Building and Loan.
DRUET	<ul style="list-style-type: none"> Manufactures—Chairman. Appropriations. Labor. Mines. Public Health. Penitentiaries and Pardons.
EATON	<ul style="list-style-type: none"> Building and Loan—Chairman. Judiciary. Congressional and Judicial Districts. Constitutional Amendments. Schools. Elections. Retrenchment and Reform.
ELLIS	<ul style="list-style-type: none"> Judiciary—Chairman. Cities and Towns. Suppression of Intemperance. Compensation of Public Officers. Commerce. Corporations. Building and Loan.
ELLISON	<ul style="list-style-type: none"> Commerce—Chairman. Judiciary. Constitutional Amendments. Banks. Senatorial and Representative Dis'ts. Pharmacy. Compensation of Public Officers.
ERICSON	<ul style="list-style-type: none"> Claims—Chairman. Ways and Means. Cities and Towns. Schools. Compensation of Public Officers. Manufactures. Building and Loan.
EVERALL	<ul style="list-style-type: none"> Ways and Means. Appropriations. Agriculture. Insurance. Schools. Senatorial and Representative Dis't Military. Claims.

FUNK	<ul style="list-style-type: none"> Ways and Means—Chairman. Appropriations. Suppression of Intemperance. Public Health. Printing. Public Lands. Code Revision. Building and Loan.
GARST	<ul style="list-style-type: none"> Insurance—Chairman Appropriations. Railway. Suppression of Intemperance. Educational Institutions. Claims.
GILBERTSON	<ul style="list-style-type: none"> Enrolled Bills—Chairman. Appropriations Suppression of Intemperance. Banks. Compensation of Public Officers. Elections. Corporations. Code Revision.
GORRELL	<ul style="list-style-type: none"> Public Health—Chairman. Appropriations. Constitutional Amendments. Highways. Pharmacy. Charitable Institutions. Horticulture and Forestry.
HARPER	<ul style="list-style-type: none"> Judiciary. Constitutional Amendments. Insurance. Federal Relations. Elections. Commerce. Public Library. Code Revision. Cities and Towns. Semi-Centennial and Memorial Hall.
HARRIMAN	<ul style="list-style-type: none"> Highways—Chairman. Judiciary. Appropriations. Agriculture. Public Health. Horticulture and Forestry.
HEALY	<ul style="list-style-type: none"> Corporations—Chairman. Judiciary. Congressional and Judicial Districts. Labor. Mines. Printing. Public Lands.
HENDERSON	<ul style="list-style-type: none"> Fish and Game—Chairman. Agriculture. Senatorial and Representative Dis'ts. Highways. Military.

HIPWELL	<ul style="list-style-type: none"> Ways and Means. Cities and Towns. Suppression of Intemperance. Labor. Mines. Compensation of Public Officers. Manufactures. Corporations.
HOBART	<ul style="list-style-type: none"> Compensation of Public Officers—Chm Railways. Congressional and Judicial Districts. Educational Institutions. Claims. Code Revision. Charitable Institutions.
HOSPERS	<ul style="list-style-type: none"> Banks—Chairman. Ways and Means. Cities and Towns. Suppression of Intemperance Agriculture. Elections. Commerce.
HOTCHKISS	<ul style="list-style-type: none"> Printing—Chairman. Appropriations. Constitutional Amendments. Insurance. Labor. Educational Institutions. Military. Engrossed Bills.
HURST	<ul style="list-style-type: none"> Ways and Means. Appropriations. Railways. Senatorial and Representative Dis'ts. Highways. Military. Pharmacy. Printing. Retrenchment and Reform. Public Buildings.
JUNKIN	<ul style="list-style-type: none"> Charitable Institutions—Chairman. Congressional and Judicial Districts. Penitentiaries and Pardons. Retrenchment and Reform. Code Revision. Building and Loan.
KILBURN	<ul style="list-style-type: none"> Labor—Chairman. Appropriations. Agriculture. Insurance. Schools. Highways. Military.
LEHFELDT	<ul style="list-style-type: none"> Ways and Means. Agriculture. Charitable Institutions. Commerce. Retrenchment and Reform. Public Buildings. Horticulture and Forestry.

LOTHROP	{ Public Lands—Chairman. Cities and Towns. Senatorial and Representative Dis'ts Federal Relations. Code Revision. Building and Loan.
MITCHELL	{ Rules—Chairman. Judiciary. Agriculture. Public Health. Retrenchments and Reform. Manufactures. Public Libraries.
PALMER	{ Agriculture—Chairman. Ways and Means. Railways. Suppression of Intemperance. Highways. Public Health. Educational Institutions. Military.
PENROSE	{ Railways—Chairman. Ways and Means Public Health. Educational Institutions. Compensation of Public Officers. Charitable Institutions. Claims.
PERRIN	{ Suppression of Intemperance—Chm. Judiciary. Ways and Means. Schools. Mines. Charitable Institutions. Retrenchment and Reform.
PHELPS	{ Constitutional Amendments—Chm. Judiciary. Appropriations. Railways. Insurance. Schools. Rules.
PUSEY	{ Federal Relations—Chairman. Ways and Means. Cities and Towns. Insurance. Banks. Pharmacy. Code Revision.
RANCK	{ Judiciary. Railways. Constitutional Amendments Schools. Public Health. Educational Institutions. Rules. Enrolled Bills. Code Revision.

RIGGEN	{ Pharmacy—Chairman. Ways and Means. Railways. Suppression of Intemperance. Mines. Public Health. Military.
ROWEN	{ Penitentiaries and Pardons—Chair'n. Constitutional Amendments. Insurance. Labor. Printing. Code Revision. Building and Loan
SARGENT	{ Ways and Means. Suppression of Intemperance. Highways. Pharmacy. Charitable Institutions. Claims. Building and Loan.
TREWIN	{ Schools—Chairman. Cities and Towns. Highways. Penitentiaries and Pardons. Fish and Game. Code Revision. Semi-Centennial and Memorial Hall
UPTON	{ Senatorial and Representative Dist's Judiciary. [Chairman. Railways. Congressional and Judicial Districts. Elections. Corporations.
WATERMAN	{ Appropriations—Chairman. Cities and Towns. Suppression of Intemperance. Federal Relations. Elections. Code Revision. Building and Loan.
YOUNG	{ Congressional and Judicial Districts Railways. [Chairman. Agriculture. Insurance. Highways. Public Buildings. Horticulture and Forestry. Fish and Game.

By Senator Junkin, Senate file No. 193, a bill for an act making an appropriation for the Institute for Feeble Minded at Glenwood, Iowa.

Read first and second time and referred to Committee on Appropriations.

By Senator Rowen, Senate file No. 194, a bill for an act to increase the support fund for the boys department of the Industrial School at Eldora, Iowa.

Read first and second time and referred to Committee on Charitable Institutions.

By Senator Rowen, Senate file No. 195, a bill for an act making an appropriation for the boys' department of the Industrial School at Eldora, Iowa.

Read first and second time and referred to Committee on Appropriations.

By Senator Sargent, Senate file No. 196, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa.

Read first and second time and referred to Committee on Appropriations.

By Senator Mitchell, Senate file No. 197, a bill for an act to amend section 3173 of the Code, in reference to amount involved in cases of appeal to the supreme court.

Read first and second time and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 198, a bill for an act to repeal sections 1 and 4 of chapter 82 of acts of Fourteenth General Assembly, as amended by chapter 195 of the acts of the Twentieth General Assembly in relation to the dissection of dead bodies, and to enact a substitute therefor.

Read first and second time and referred to Committee on Public Health.

By Senator Cheshire, Senate file No. 199, a bill for an act to appropriate money to defray expenses of the inaugural ceremonies.

Read first and second time.

Senator Cheshire moved that the rules be suspended and that Senate file No. 199, a bill for an act to appropriate money to defray expenses of inaugural ceremonies, be considered engrossed and read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill now pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Funk, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Riggin, Sargent, Trewin, Upton, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Alexander, Byers, Eaton, Everall, Garst, Gorrell, Kilburn, Lehfeldt, Penrose, Rowen, Young—11.

So the bill passed and the title agreed to.

Senator Berry moved to take up the resolution relative to the report of the Commission on Code Revision and Introduction of Bills.

Carried.

Senator Berry offered the following amendment:

Strike out all after the date "1896" in second line thereof and insert in lieu thereof the words as follows: "except on leave granted by a majority vote of the Senate."

Senator Trewin moved that the matter be referred to the Committee on Code Revision.

On this motion a division was called for, and the motion carried.

Senator Druet asked that Senator Gorrell be excused to-day.

Senator Healy offered the following resolution, and asked that it be laid over until to-morrow:

Be it Further Resolved by the Senate, That the several committees, to which the proposed revision of the Code has been referred, shall, in reporting their labors to the Senate, report:

First.—The laws, as now existing, codified and arranged in appropriate titles and chapters.

Second.—In separate bills the laws as altered, changed or amended, if any alterations or amendments are thought advisable by said committee.

Third.—Attached to said report there shall be a summary of the proposed alterations or amendments with any omissions in the present law.

Fourth.—All of said report, as herein specified, shall be printed before action is taken by the Senate.

Laid over.

HOUSE MESSAGES.

Senator Garst moved to take up House messages.

House resolution relative to joint rules was taken up.

Senator Harriman moved that the Senate concur in the resolution.

Carried.

House Joint Resolution No. 6, relative to payment of clergymen was taken up.

Senator Bonson moved that it be referred to Committee on Appropriations.

On a division being called, the motion was lost.

Senator Funk moved that the Senate concur in the resolution.

Senator Bonson offered the following amendment:

I move to amend by striking out the word "five" and inserting in lieu thereof the word "three."

On the question, "Shall the amendment pass?" the yeas were:

Senators Berry, Bonson, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Ericson, Harper, Hipwell, Hurst, Junkin, Lothrop, Pusey, Ranck, Rigger, Trewin, Upton, Young—20

The nays were:

Senators Allyn, Blanchard, Byers, Carroll, Ellis, Ellison, Funk, Gilbertson, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Rowen, Sargent, Waterman—22.

Absent or not voting:

Senators Alexander, Bell, Eaton, Everall, Gorrell, Garst, Healy, Lehfeldt—8.

So the amendment was lost.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Carney, Carroll, Craig, Ellis, Ellison, Funk, Gilbertson, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Palmer, Penrose, Perrin, Phelps, Rowen, Sargent, Waterman, Young—26.

The nays were:

Senators Bonson, Carpenter, Cheshire, Downey, Druet, Ericson, Harper, Healy, Hipwell, Junkin, Lothrop, Pusey, Ranck, Rigger, Upton—15.

Absent or not voting:

Senators Alexander, Byers, Eaton, Everall, Garst, Gorrell, Lehfeldt, Mitchell, Trewin—9.

So the motion prevailed.

House joint resolution No. 5, relative to gambling in products was taken up.

Senator Healy moved that the resolution be referred to Committee on Judiciary.

Carried.

House file No. 65, relative to legalizing special elections in cities of over 5,000 inhabitants.

Senator Harper moved that it be referred to Committee on Judiciary.

Carried.

House joint resolution No. 3, relative to navigation of Mississippi river, was taken up.

Senator Carpenter moved that the Senate concur in the resolution.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Craig, from the Committee on Military, submits the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 57, a bill for an act to revise, amend and codify the statutes, relative to the militia, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, to-wit: Strike out the word "resign" in the second line of section 10 and substitute the words "is discharged;" also strike out the word "resign" in the last line of section 11 and substitute the words "is discharged;" also strike out the word "such" in the first line of section 52 and substitute the words "each annual;" also insert after the word "annum" in the second line of section 53 the words "or so much thereof as may be necessary," and when so amended the bill do pass.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submits the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 31, a bill for an act providing for the giving of bonds by abstractors of title and for the making of abstracts of title and for their use as evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS.
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 28, a bill for an act to amend section 4026 of the Code of

Iowa, relative to testimony in prosecutions for gambling, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the accompanying substitute bill be adopted, and when adopted, that the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 26, a bill for an act to amend section 5476, chapter 15 of McClain's Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 33, a bill for an act to repeal section 3 of chapter 160 of the laws of the Twelfth General Assembly (filing deeds of unconditional conveyance of real estate), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 121, a bill for an act to amend section 428, chapter 2 of McClain's Code, relating and relative to county printing, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Printing.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 70, a bill for an act for the punishment of crimes for second and subsequent offences, and what shall be deemed *prima facie* evidence of a former conviction, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Trewin asked leave to present the following memorial and asked that it be referred to Committee on Military:

WHEREAS, The Legislature of the state has appropriated \$150,000 for the erection of a soldiers' monument to perpetuate the valor and achievement of Iowa soldiers; and

WHEREAS, The Soldiers' Monument Commission has persistently disregarded the protests of soldiers by not giving the soldiers concerned the right to name their candidates at their reunions or otherwise, and by using the rankest discrimination in the selection of candidates, have brought it about so that while thirty-three regiments or organizations are recognized, one of them with as many as ten places, some twenty-seven organizations are totally unrepresented; and

WHEREAS, An attempt is being made to distribute the honors among a few localities, as well as regiments, so that ten counties have some fifty places, or two-thirds of the whole, while other counties which stood high up in percentage and number of soldiers furnished, are shamefully passed over; therefore, be it

Resolved, by John J. Stillman Post No. 194, G. A. R. of Waukon, That in view of the seeming inability to recognize each regiment worthily and at the same time to give a much larger number of counties a representation, that we call upon the Legislature to crush this infamy and to substitute ideal figures, where figures are necessary, to the end that no regiment or community be recognized.

Resolved, That we heartily second the request of Brownell Post No. 222, Cedar Falls, Iowa, that the panel on the east face shall be filled with a bronze base relief representing "Rebels Firing on Fort Sumpter," that on the west face, "Rebels Surrender at Appomattox,"—the "Alpha and Omega of the Rebellion." And we further recommend that the spaces reserved for medallions be filled with tablets giving the names of battles in which Iowa soldiers took part, and that the equestrian and other statutes give places to such emblematic figures as will best comport with the idea of a soldiers' monument, while at the same time recognizing no individual.

Resolved, That our Senator and Representative in the Legislature be requested to further the object of these resolutions, and that a copy of the same be sent to them and also to the department commander of the G. A. R. by the adjutant.

So referred.

Senator Waterman moved that the Senate take up bills recommended for indefinite postponement.

Carried.

Senate file No. 110, a bill for an act to legalize the proceedings of the board of supervisors of Wright county, in locating and constructing a drain through the incorporated town of Clarion, in said county, and in making apportionment of the cost, expenses, costs of construction, fees and compensation for property appropriated and damages sustained by the construction of the drain, and in assessing the same among the owners

of the land benefited thereby, or in levying the same as a tax against the lands of the owners so benefited, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 42, a bill for an act to prevent garnishment proceedings against persons for wages where same are exempt by the laws of the state, with report of committee recommending it be indefinitely postponed was taken up, considered and the report of the committee was adopted.

Senate file No. 108, a bill for an act to amend section 3327 of the Code of 1873, in relation to the cancellation of real estate mortgages, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 117, a bill for an act relating to the assignment of judgments, mortgages and deeds of trust by administrators, etc., with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 37, a bill for an act to amend section 2178 of the Code, in relation to the sale of property by carriers and other charges, with report of committee recommending it do pass, with amendment, was taken up and considered.

Senator Harper moved that report of committee include following amendments:

In line eleven of the bill, after the word "and" insert the word "that." In the same line after the word "whereabouts," strike out the words "of that." In line fourteen change the word "entry" to "estray." In line twenty change word "entry" to "estray."

Carried.

So report of committee with amendments was adopted.

Senator Harper moved that the rules be suspended, and that the bill be considered engrossed and read a third time now.

Lost.

Senator Harper moved that Senate file No. 37, a bill for an act to amend section 2178 of the Code, in relation to the sale of property by carriers for charge be engrossed.

On this motion the yeas and nays were called for.

On the question, "Shall the motion prevail?" the yeas were:

Senators Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Harper, Harriman, Hipwell, Hobart, Hospers, Hotchkiss, Hurst,

Mitchell, Palmer, Penrose, Perrin, Ranck, Rigger, Sargent, Upton, Waterman—29.

The nays were:

Senators Bell, Carroll, Ericson, Garst, Gilbertson, Healy, Henderson, Junkin, Kilburn, Lothrop, Pusey, Trewin and Young—13.

Absent or not voting:

Senators Alexander, Eaton, Everall, Funk, Gorrell, Lehfeldt, Phelps—7.

So the bill was ordered engrossed.

On motion of Senator Trewin, Senate file No. 77, a bill for an act to make February 22d a legal holiday in the State of Iowa, and closing all schools on that day, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 127, a bill for an act to require the United States flag to be placed upon all public school buildings, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

The Journal of yesterday was taken up, read, corrected and approved.

Senator Funk asked permission to offer the following resolution:

Resolved, That unless otherwise ordered by the Senate, sessions shall be held daily, opening at 10 A. M. and closing at noon.

Adopted.

Senator Waterman moved that the Senate do now adjourn.
Carried.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, February 7, 1896. }

Senate met in regular session at 10 A. M., President Parrott presiding.

Prayer was offered by Rev C. Peterson, missionary of Iowa Conference of the A. M. E. church.

PETITIONS AND MEMORIALS.

Senator Pusey presented petition of W. S. Packard and others in reference to beneficiary societies.

Referred to Committee on Judiciary.

Senator Harper presented petition of N. S. Young and others in reference to removing dam at Bonaparte.

Referred to Committee on Fish and Game.

Senator Harper presented remonstrance of Sheppard Post No. 157, G. A. R., against placing the face of any man, living or dead, on the monument.

Referred to Committee on Military.

Senator Blanchard presented petition of Phil Kearney Post No. 40, asking removal of medallions from the monument.

Referred to Committee on Military.

Senator Blanchard presented petition of Col. C. A. Clark and attorneys of Cedar Rapids, asking that the Blanchard resolution, relative to the Code, be adopted and asked the petition be read.

Referred to Committee on Code Revision.

Senator Henderson presented petition of M. P. Higby and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Bell presented petition of George A. Smith and thirty seven others, relative to removing the dam at Bonaparte.

Referred to Committee on Fish and Game.

Senator Gorrell presented petition of E. McQuiston and others in regard to age of consent.

Read and referred to Committee on Judiciary.

Senator Lothrop presented petition of D. R. Cornegys and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Lothrop presented petition of F. E. Gill and others, relative to annual tax for State University.

Referred to Committee on Educational Institutions.

Senator Lothrop presented petition of board of supervisors of Woodbury county, for the passage of House files Nos. 89, 90 and 91.

Referred to Committee on Judiciary.

Senator Ellis presented petition of N. J. Walton and others, relating to beneficiary associations

Referred to Committee on Judiciary.

Senator Bonson presented petition of Harvey Herron and others in reference to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Funk presented petition of citizens of Ruthven on the same subject.

Referred to Committee on Judiciary.

Senator Alexander presented petition of M. K. Neff and others on the same subject.

Referred to Committee on Judiciary.

Senator Sargent presented petition of Peter Melindy and others, relative to licensing plumbers.

Referred to Committee on Public Health.

Senator Sargent presented petition of O. H. Lighter and others, asking resubmission of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Sargent presented remonstrance of O. H. Lighter and others against manufacturers' law.

Referred to Committee on Suppression of Intemperance.

Senator Blanchard presented petition of Iowa State Veterinary association asking for official inspection of meat and milk.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Carpenter, Senate file No. 200, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly, relating to state board of health.

Read first and second time and referred to Committee on Public Health.

By Senator Carpenter, Senate file No. 201, a bill for an act to amend chapter 104, acts of the Twenty-first General Assembly, by providing for an appeal from the state board of examiners.

Read first and second time and Referred to Committee on Judiciary.

By Senator Downey, Senate file No. 202, a bill for an act to amend section 1395, in relation to commissioners of insanity.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 203, a bill for an act to exempt from penalties the manufacture, sale and transportation of spirituous, malt and vinous liquors for lawful purposes.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Senator Ellison (by request), Senate file No. 204, a bill for an act to authorize incorporated towns and cities of the second class to issue and negotiate bonds to procure funds for the payment of outstanding warrants and negotiate instruments.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Hotchkiss, Senate file No. 205, a bill for an act to prevent insolvent insurance companies from doing business, and providing penalties therefor.

Read first and second time and referred to Committee on Insurance.

By Senator Palmer, Senate file No. 206, a bill for an act making an appropriation for the Hospital for Insane at Mt. Pleasant.

Read first and second time and referred to Committee on Appropriations.

By Senator Palmer, Senate file No. 207, a bill for an act to regulate the soliciting and sale of nursery stock in the State of Iowa.

Read first and second time and referred to Committee on Horticulture and Forestry.

By Senator Penrose, Senate file No. 208, a bill for an act making an appropriation for the College for the Blind at Vinton, Iowa

Read first and second time and referred to Committee on Appropriations.

By Senator Perrin, Senate file No. 209, a bill for an act to amend section 3092 of the Code.

Read first and second time and referred to Committee on Judiciary.

By Senator Alexander, Senate file No. 210, a bill for an act relating to the making of claims and bringing suits against municipal corporations, including cities organized under special charters, for damages resulting from the unsafe condition of the highways or bridges therein.

Read first and second time and referred to Committee on Roads and Cities and Towns.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in the concurrent resolution in which the concurrence of the House was asked, relative to soldiers's monument.

JAMES D. ROWEN,
Chief Clerk.

Senator Carney offered the following resolution and moved its adoption.

Resolved, That 300 copies of corrections made by the Code Commission for proposed Code be printed for use of the Senate.

Adopted.

Senator Berry moved that the Senate have printed 300 copies of list of committees and times of meeting of same.

Carried.

Senator Hurst offered the following resolution and asked that it be referred to Committee on Military.

RESOLUTIONS ADOPTED BY A. W. DRIPS POST NO. 74, G. A. R., TUESDAY EVENING, JANUARY 21, 1896.

WHEREAS, The Legislature of the state has appropriated \$150,000 for the erection of a soldiers' monument to perpetuate the valor and achievements of Iowa soldiers; and

WHEREAS, The Soldiers' Monument Commission have persistently disregarded the protests of soldiers by not giving the regiments concerned the right to name their candidates at their reunions or otherwise, and by using the rankest discrimination in the selection of candidates have brought it about so that while thirty-three regiments or organizations are recognized, one of them with as many as ten places, some twenty-seven organizations are totally unrepresented; and

WHEREAS, An attempt is being made to distribute the honor among as few localities, as well as regiments, so that ten counties have some fifty places, or two-thirds of the whole, while other counties which stood high

up in percentage and numbers of soldiers furnished are shamefully passed over.

Resolved, by A. W. Drips Post No. 74, G. A. R., Maquoketa, Iowa, That in view of the seeming inability to recognize each regiment worthily, and at the same time to give a much larger number of counties a representation, that we call upon the Legislature to crush this infamy, and to substitute ideal figures, when figures are necessary, to the end that no regiment or community be recognized.

Resolved, That we heartily second the request of Brownell Post No. 222, Cedar Falls, Iowa, that the "panel on east face shall be filled with a bronze base relief 'Rebels Firing on Fort Sumpter,' and on the west face 'Rebels Surrender at Appomattox'—the Alpha and Omega of the Rebellion.'" And we further recommend that the spaces reserved for medallions be filled with tablets giving the names of battles in which Iowa soldiers took part, and that the equestrian and all other figures give place to such emblematic figures as will best comport with the idea of a soldiers' monument, at the same time recognizing no individual.

Resolved, That our Representatives in the Legislature be instructed to further the objects of these resolutions, and that the papers of the county and state be requested to give publicity to them, and that a copy be sent to the department commander of the G. A. R. and to each member of the commission.

[Signed.]

T. J. LANCASTER,
Adjutant.

J. A. CARSON,
Commander 74.

The President sent to the Secretary's desk the following communications from the Secretary of State, which were read and ordered passed on file.

To the Honorable Senate of the Twenty-sixth General Assembly of Iowa:

In compliance with the provisions of chapter 114, acts of the Sixteenth General Assembly, I designated two newspapers in each congressional district of the State of Iowa, and caused therein to be published, for the term of three months, as provided by section 2, article 10 of the constitution, an act of the Twenty-fifth General Assembly, known as Joint Resolution No. 5, "to amend the constitution of the State of Iowa relative to the manufacture and sale of intoxicating liquors as a beverage," and I have caused to be filed in this office proof of publication by each newspaper so designated, verified by affidavits of the publishers, that such publication was made.

W. M. MCFARLAND,
Secretary of State.

Also:

To the Honorable Senate of the Twenty-sixth General Assembly of Iowa:

In compliance with the provisions of section 510 of the Code of Iowa, I herewith transmit to your honorable body a statement of cities in Iowa raised to cities of the second class, by virtue of the census of 1895, which are as follows:

Denison, Eldora, Marengo, Bedford, Toledo, Lake City, Iowa Falls, Tipton, Monticello, Harlan, Mystic and Cresco.

HOUSE MESSAGES.

Senator Waterman moved to take up House messages.

House message relative to soldiers' monument was taken up.

Senator Waterman offered the following resolution:

I move that the resolution in relation to medallions and figures on the soldiers' monument be referred to the Senate Committee on Military, with instructions to give such hearing as they may deem proper to the monument commission, or any other interested parties, and make such report to this body, by bill or otherwise, as they may deem proper.

Adopted.

Senator Carroll presented supplementary report of the visiting committee to College for Blind at Vinton, Iowa.

Ordered passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 144, a bill for an act to repeal section 5342 of McLain's Code, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 66, a bill for an act to prevent blindness and for the care of infants affected with disease of the eyes and to provide a penalty for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting "parent or guardian" just before the word "midwife" in the second line of the first section; by amending the second line of the second section so it will read "fine not less than \$25 or more than \$100, or imprisonment in the county jail not to exceed thirty days, or both," and by striking out all the third section, and that the bill then do pass as amended.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 23, a bill for an act to establish a state board of

embalming, to provide for the better protection of life and health, to prevent the spread of contagious disease and to regulate the practice of embalming, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be amended by striking out all of section 11 after the word "colleges" in the fourth line thereof, and that when so amended it be adopted, and when adopted that the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred the resolution relative to the introduction of bills after February 20, 1896, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with a substitute, with the recommendation that the substitute be adopted as follows:

WHEREAS, The work of this General Assembly is largely increased by reason of the report of the Commission on Code Revision; and

WHEREAS, It is desirable that the state should have the benefit of the result of the work of the commissioners at as early a date as possible, consistent with the careful consideration of the same by the General Assembly, therefore

Resolved, That no bills be introduced in the Senate after February 20, 1896, other than legalizing acts and appropriation bills, except on leave granted by a majority vote of the Senate.

C. A. CARPENTER,
Chairman.

Senator Berry moved that the report of the Committee be adopted.

A division was called for and the motion lost.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 11, a bill for an act authorizing township trustees to procure and control property for public use at the expense of their townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended, and when so amended that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Ellison, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file 95, a bill for an act to revise, amend and codify the statutes in

relation to lost goods, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

In line three (3) of section three (3) the words "without compensation except the same be voluntarily given" be stricken out; also, that in line three (3) of section seven (7) the words "ten per cent upon the value thereof" be stricken out and the words "a reasonable compensation therefor" be inserted in lieu thereof; and that as thus amended the bill do pass.

F. O. ELLISON,
Chairman.

Ordered passed on file.

Senator Garst moved to reconsider the vote by which the report of Code Revision Committee, relating to substitute for Berry resolution, was lost.

On this the yeas and nays were called.

On the question, "Shall the motion prevail?" the yeas were:

Senators Alexander, Allyn, Berry, Carney, Carpenter, Carroll, Craig, Ellis, Funk, Garst, Hotchkiss, Junkin, Mitchell, Palmer, Perrin, Phelps, Pusey, Riggin, Sargent, Trewin, Upton, Waterman—23.

The nays were:

Senators Bell, Blanchard, Bonson, Cheshire, Downey, Druet, Eliason, Ericson, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Kilburn, Lothrop, Penrose, Ranck, Rowen, Young—24.

Absent or not voting:

Senators Byers, Eaton, Everall and Lehfeldt—4.

So the motion was lost.

Senator Blanchard moved that the Senate order 100 additional copies of Senate file No. 143 printed.

Carried.

Senator Carney offered the following concurrent resolution:

Resolved, by the Senate, the House concurring, That no new bills be introduced in the General Assembly after February 20th, except legalizing acts, appropriation bills and such bills as are permitted to be introduced by a majority vote of that branch of the General Assembly in which the bills are offered for introduction.

Objected to and laid over.

Senator Carroll offered the following concurrent resolution, and asked that it be read and laid over:

Resolved, by the Senate, the House concurring, That a Joint Convention be held in the Hall of the House on Thursday, February 13, 1896, at 2 P. M., for the purpose of electing trustees, regents, officers and commissioners of the various state institutions; also State Printer, State Binder and wardens of the state penitentiaries at Fort Madison and Anamosa.

Senator Healy moved to take up resolutions laid over from yesterday relating to consideration of Code Commission report.

Senator Cheshire offered the following substitute and moved its adoption:

Resolved, That all bills referred to the different committees of the Senate by the Committee on Code Revision, when reported back to the Senate, shall not be considered until the report of the committee together with the full bill as amended, shall be printed at length in the Journal when a request is made therefore by a majority vote of the Senate.

Senator Trewin moved that the resolution and substitute be referred to Code Revision Committee.

Senator Carpenter moved to amend the motion by striking out "Code Revision Committee" and inserting "Judiciary Committee."

The amendment was lost.

On the question, "Shall the resolution and substitute be referred to Code Revision Committee?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Byers, Carney, Carroll, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harriman, Healy, Henderson, Hobart, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Waterman, Young—31.

The nays were:

Senators Blanchard, Bonson, Carpenter, Cheshire, Craig, Downey, Gorrell, Harper, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Rowen, Upton—16.

Absent or not voting:

Senators Eaton, Everall and Lohfeldt—3.

So referred.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 112, a bill for an act to legalize the acts and proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 47, a bill for an act to repeal section 2580 of the Code.

JAMES D. ROWEN,
Chief Clerk.

Senator Carney moved that Senate file No. 31 be taken up and referred to Judiciary Committee.

Carried.

Senator Kilburn presented report of visiting committee to Industrial Home for the Blind at Knoxville.

Ordered passed on file.

Senator Blanchard moved that the Senate do now adjourn

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, February 8, 1896. }

Senate met in regular session at 10 o'clock A. M., Senator Funk presiding.

Prayer was offered by the Rev. Daniel McPherson, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Hospers presented petition of C. Vogelmann and others, relative to age of consent.

Referred to Committee on Judiciary.

Senator Byers presented petition of A. Thombone and others on same subject.

Referred to Committee on Judiciary.

Senator Allyn presented petition of W. S. Berkey and others, relating to beneficiary societies.

Referred to Committee on Judiciary.

Senator Waterman presented petition of A. O. Williams and others relating to licensing plumbers.

Referred to Committee on Public Health.

Senator Penrose presented petition of Matthew Brown and others on same subject.

Referred to Committee on Public Health.

Senator Lothrop presented petition of J. M. Knott and others on same subject.

Referred to Committee on Public Health.

Senator Palmer presented petition of M. M. Miller, relative to soldiers' monument.

Referred to Committee on Military.

Senator Mitchell presented petition of S. E. Faeckler and others, relating to mutual benefit societies.

Referred to Committee on Judiciary.

Senator Gilbertson presented petition of O. C. Johnson and others on same subject.

Referred to same committee.

The President sent a communication from the synod of Iowa, relative to the age of consent, to the Secretary's desk, which was read and referred to Committee on Judiciary.

Senator Funk presented petition of D. N. Guthrie and others, relative to mutual benefit societies.

Referred to Committee on Judiciary.

Senator Perrin presented petition of T. C. Clary and others, relative to election of clerks of the district court.

Referred to Committee on Elections.

INTRODUCTION OF BILLS.

By Mr. Alexander, Senate file No. 211, a bill for an act repealing section 2, chapter 7, acts of the Twenty-fifth General Assembly, relative to paving and sewerage.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Allyn, Senate file No. 212, a bill for an act to amend section 2017 of the Code of Iowa, in regard to the notice of landlords lien to existing creators or subsequent purchasers.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 213, a bill for an act to amend sections 2 and 3 of chapter 69, acts of the Twenty-fifth General Assembly, to fix the regular term of the additional supreme judge, provided for in said act and to extend the term of the present incumbent.

Read first and second time and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 714, a bill for an act to amend section 18, chapter 62, acts of the Twenty-fifth General Assembly, entitled an act to tax the traffic in intoxicating liquors, and to regulate and control the same.

Read first and second time and referred to Committee on Judiciary.

By Senator Harriman, Senate file No. 215, a bill for an act to pay to the widow of Captain J. W. Luke, deceased, the salary for the unexpired term for which he was elected.

Read first and second time and referred to Committee on Judiciary.

By Senator Hospers, Senate file No. 216, a bill for an act to amend section 1922 of the Code and for the protection of married women.

Read first and second time and referred to Committee on Commerce.

By Senator Junkin, Senate file No. 217, a bill for an act changing the burden of proof of contributory negligence in certain cases.

Read first and second time and referred to Committee on Judiciary.

By Senator Junkin, Senate file No. 218, a bill for an act limiting the defense of contributory negligence in certain cases.

Read first and second time and referred to Committee on Judiciary.

By Senator Junkin, Senate file No. 219, a bill for an act to fix the burden of proof in a certain class of actions against telegraph companies.

Read first and second time and referred to Committee on Judiciary.

By Senator Junkin, Senate file No. 220, a bill for an act for the relief of James D. Ward.

Read first and second time and referred to Committee on Claims.

By Senator Lothrop, Senate file No. 221, a bill for an act to amend section 3608 of the Code of Iowa, relating to the payment of costs in criminal proceedings.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Senator Lothrop, Senate file No. 222, a bill for an act to regulate the expenditure of the county road fund and the county bridge fund.

Read first and second time and referred to Committee on Highways.

By Senator Mitchell, Senate file No. 223, a bill for an act to amend section 12, chapter 80 of the laws of the Twenty-fifth General Assembly, relating to the rules of governing trustees in the appointment of superintendent.

Read first and second time and referred to Committee on Charitable Institutions.

By Senator Penrose, Senate file No. 224, a bill for an act to provide for the printing of bulletins of the Iowa Experiment Station.

Read first and second time and referred to Committee on Agriculture.

By Senator Phelps (by request), Senate file No. 225, a bill for an act to authorize the purchase and use of the Gillespie voting machine and matters relating thereto.

Read first and second time and referred to Committee on Elections.

By Senator Rikken, Senate file No. 226, a bill for an act to amend section 2360 of McClain's Code, relating to the sale of liquors by pharmacists.

Read first and second time and referred to Committee on Pharmacy.

By Senator Rowen, Senate file No. 227, a bill for an act requiring that juvenile prisoners be kept apart (substitute).

Read first and second time and ordered passed on file and printed.

By Senator Cheshire, Senate file No. 228, a bill for an act making appropriation for Benedict Home at Des Moines, Iowa.

Read first and second time and referred to Committee on Appropriations.

By Senator Cheshire, Senate file No. 229, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works and to provide for the management thereof, and giving them additional powers in respect thereto.

Read first and second time and referred to Committee on Cities and Towns.

REPORT OF STANDING COMMITTEE.

Senator Mitchell, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules, to whom was referred the question of rules for the Senate of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following rules be adopted.

SENATE RULES—REGULAR ORDER OF DAILY BUSINESS.

The following order shall govern:

1. Presentation of petitions or memorials, addressed to the Senate or to the General Assembly.
2. Introduction of bills.
3. Resolutions.

4. Communications on the President's table, including House messages.
5. Reports of standing committees, in the order in which they stand in the rules, except the Committee on Engrossed and Enrolled Bills, Rules and Printing.
6. Reports of select committees.
7. Third reading of bills.
8. Unfinished business before the Senate.
9. Bills and other matters.
10. General orders of the day.

STANDING RULES.

1. The President shall take the Chair at the hour to which the Senate is adjourned, and call the Senate to order; and if a quorum be present, he shall proceed with the regular order of daily business, unless otherwise ordered by the Senate, or unless a special order for the day shall interfere therewith. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate. He shall appoint all committees, unless otherwise especially ordered. Immediately preceding the adjournment of each morning session; or, in case it cannot be done during that session, then as soon after the convening of the next following session as he may find most convenient, the President shall call for corrections of the Journal of the last day's proceedings. He shall then cause any mistakes therein to be corrected by the Secretary, and the Journal shall then be approved.

2. The Senate shall, at its pleasure, elect a president *pro tem.*, who shall hold his office during the remaining portion of the time for which the President was elected; and when the President shall from any cause be absent, the President *pro tem.* shall preside, except when the Chair is filled by appointment by the President.

3: There shall be appointed by the Lieutenant-Governor, at each session of the Senate, to hold their positions during such session, but subject to be discharged by the President of the Senate for inefficiency or misbehavior, or other reasons in his judgment justifying such discharge, two paper folders and six messengers for the Senate. And the President may appoint other paper folders and messengers in the place of any discharged.

4. One-fourth of the members may have a call of the Senate, and absent members sent for, and their attendance enforced.

5. When a member is about to speak in debate, or deliver any matter to the Senate, he shall arise from his seat and respectfully address himself to Mr. President, and shall confine himself to the question under debate, avoid personalities, and the imputation of improper motives.

5. When the vote is taken *viva voce*, questions shall be distinctly put in this form, viz: "As many as are of the opinion (as the case may be) say 'aye.'" And after the affirmative voice is expressed: "As many as are of the contrary opinion, say 'no.'" If the President doubt, or a division be called for, the Senate shall divide—those in the affirmative of the question shall first rise from their seats, and afterward those in the negative.

7. Every member present when a question is put shall vote, unless he shall, for special cause, be excused by a vote of the Senate; but no member shall vote on any question in the event of which he is directly and personally interested, or in any case where he was not present when his name was called in the taking of the vote. *Provided*, that any member who was absent by leave of the Senate may vote at any time before the result is announced.

8. All motions (except to adjourn, postpone, or commit,) shall be reduced to writing, if required by any member of the Senate. Any motion or resolution may be withdrawn by the mover; *provided*, the same has not been amended by the Senate, and that no amendment is pending thereto.

9. When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely which several motions shall have precedence in the order in which they are named; and no motion to postpone to a day certain, to commit or postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting clause of a bill shall have the precedence of a motion to amend; and if carried, shall be considered equivalent to the rejection of the bill.

10. A motion to adjourn, to lay on the table, and for the previous question, shall be decided without debate, and all

incidental questions of order rising after a motion is made for the previous question, and pending such motion, shall be decided—whether an appeal or otherwise—without debate.

11. The previous question shall be in this form: “Shall the main question be now put?” It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote upon pending amendments and then upon the main question, except that the member in charge of the measure under consideration shall have ten minutes in which to close the discussion, immediately before the vote is taken upon the main question. If the previous question is decided in the negative, the Senate shall proceed with the matter before it, the same as though the previous question had not been moved.

12. Any member may call for a division of a question, which shall be divided, if it comprehends propositions in substance so distinct that one being taken away substantive propositions shall remain for the decision of the Senate. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendments to the matter attempted to be stricken out, nor a motion to strike out and insert.

13. When a motion or question has been decided, any member having voted on the prevailing side, may move a reconsideration, on the same or next legislative day.

14. A motion to print any paper presented to the Senate may, on motion, be referred to the Committee on Printing, whose duty it shall be to report at the earliest time practicable, on the propriety of printing.

15. Every bill shall be introduced on the report of a committee, or by leave, and shall at once be given its first reading. Every bill and joint resolution shall have received three several readings previous to its passage; but no bill or joint resolution shall have its second and third readings on the same day, without a suspension of this rule; and every bill and joint resolution shall express in its title the object thereof. All rules of the Senate applicable to bills shall apply with equal force to joint resolutions.

16. Before the same is presented, there shall be endorsed on each petition a brief statement of the subject matter thereof, and on each bill and joint resolution the title thereof, and in either case the name of the Senator presenting the same. In presenting a petition, the Senator shall briefly state from his

place in the Senate Chamber the subject matter to which the petition relates.

17. The first reading of a bill or joint resolution shall be for information, and, if objection be made to it, the question shall be, "Shall the bill (or joint resolution, as the case may be) be rejected?" If no objection be made, or the question to reject be lost, the bill or joint resolution shall go to its second reading without further questioning.

18. Upon the second reading of a bill or joint resolution, the President shall state it as ready for commitment, amendment or engrossment, and if committed, then the question shall be, whether to a select or standing committee, or a committee of the whole. If to a committee of the whole, the Senate shall determine on what day. If no objection is made, the President of the Senate may refer the bill or joint resolution to an appropriate committee or to such committee as the Senator who introduces the measure shall suggest. But if the bill or joint resolution be ordered to be engrossed, it shall be in order for its third reading any session after that day. No bill or joint resolution shall be committed or amended until it shall have been twice read.

19. When a question is lost on engrossing a bill, or joint resolution for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day. After a third reading of a bill or joint resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present; and the vote on its final passage shall be immediately taken without debate.

20. A bill or joint resolution may be committed at any time previous to its third reading.

21. In filling blanks, the largest sum and longest time shall be first put.

22. On the return of a bill or joint resolution from the House, with an amendment, it shall be placed with the third reading of bills, unless the Senate shall otherwise order. On the question of adopting the amendment the vote shall be taken on the final passage of the bill, and if the amendment be adopted by a constitutional majority, no further vote is necessary.

23. All bills and joint resolutions introduced, except local or legalizing bills, shall be printed, unless otherwise ordered by the Senate, and committees may order to be printed any bills

under consideration by them, and any substitutes for bills or resolutions reported by them.

24. It shall be in order for the Committee on Engrossed and Enrolled Bills, on Rules and on Printing, to report at any time, when no member is addressing the Senate.

When any special order of the day is not proceeded with on the day assigned, it shall stand as a general order on each succeeding day until disposed of, unless otherwise ordered, but its consideration cannot be moved until that order of business is reached, when it shall be taken up in order of its file.

25. All special orders shall be entered on the Calendar, and shall be taken up in the order of their precedence.

26. When the pending question is interrupted by a "Special Order," it shall, upon the disposal of the special order, be before the Senate in the same stage as if it had not been so interrupted.

27. Committees are permitted to employ clerks by the majority vote of the whole committee. The clerk shall be selected by such vote, and in like manner may be discharged for inefficiency or when the services of the clerk become unnecessary.

28. Clerks of Senate committees, when not engaged in duties pertaining to such committees or work assigned them by the committee chairman, shall be subject to the direction of the Secretary of the Senate, for any labor connected with the duties of his position or his assistants. The Secretary shall, from time to time, make detail from said clerks to assist in preparing copy or correcting proof for the daily Journal.

29. All reports of committees on bills or resolutions shall be made in duplicate and be accompanied with the original bill or resolution to which the report relates. Providing that this rule shall not apply to the reports of Committees on Enrolled and Engrossed Bills.

30. When a vote is taken in any committee upon any bill or resolution before it, or any motion relating to the merits thereof, the chairman shall see that no person is present except the members and clerk of said committee, unless otherwise ordered by the committee.

31. Smoking in the Senate Chamber is hereby prohibited while the Senate is in session. And any officer or employe who shall indulge in smoking while on duty in the Senate Chamber or doorways leading thereto, shall thereby subject himself to liability of discharge.

32. Admission to the floor of the Senate Chamber shall be granted by the Doorkeeper to the Governor and his private secretary, members of the House of Representatives, the state officers and their deputies, judges of the several courts, ex-members of the Legislature, ex-state officers and the regular reporters of the Senate and clerks of committees. No persons, except those herein specified, shall be admitted, except upon special permission of the President of the Senate or of a member of the Senate. And no person shall be permitted by members or otherwise to come upon the floor of the Senate to solicit or influence Senators in their official action, or to sell any article or to solicit subscriptions.

33. In case of disturbance or disorderly conduct in the lobby or gallery, the presiding officer shall have the power to order the same cleared.

34. Before acting on executive business, the Senate Chamber shall be cleared, by direction of the President, of all persons except members, the Secretary, the Sergeant-at-Arms, members enjoined and the Secretary and Sergeants-at-Arms sworn, to observe secrecy.

35. When an adjournment has been ordered by a vote of the Senate, and before adjournment is declared by the President of the Senate, it shall be in order for the chairman of the several committees to announce in open Senate the time and place of meeting of their respective committees.

36. No standing rule or order of the Senate shall be rescinded or suspended, nor shall any matter, tabled upon motion, be taken up, unless by a vote of two-thirds of the members present, except an order fixing the hour to which the Senate shall stand adjourned.

37. Resolutions, including concurrent resolutions, shall not be acted upon by the Senate upon the day the same are introduced or received by the Senate, but shall lie upon the table for one legislative day if any member object to the immediate consideration thereof. But if no member object, the same may have immediate consideration. Nothing in this rule shall abridge or prevent the usual right of reference to committee.

38. The rules of parliamentary practice comprised in Cushing's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules or orders of the Senate, and joint rules of the Senate and House of Representatives.

39. The duties of the officers and employes of the Senate are as stated in the paragraph relating thereto, and appended to these rules.

The Secretary of the Senate shall have charge of the Secretary's desk, and shall see that no one is permitted therein except himself and those assisting him. He shall be responsible for the custody and safe-keeping of all bills, resolutions and other matters laid before or introduced into the Senate, except while the same are in the possession of the committee to whom the same shall have been referred, and when delivering the same to said committee he shall take a proper receipt therefor. He shall see that the Journal of each day's proceedings is correctly and fully kept, and fully made up before the next day's session, and be responsible for its safe-keeping. He shall have control of Room 25, which is assigned to said Secretary for the use of himself and his assistants. He shall endorse on every bill or joint or concurrent resolution, the date of its introduction and by what Senator, or of its receipt from the House, and also what action relating thereto is taken by the Senate. The Assistant Secretaries shall be under his direction, and he shall assign them their several duties in connection with the duties of the Secretary's desk.

The Sergeant-at-Arms shall wear the appropriate badge of his office; shall attend the Senate during its sessions; shall aid in the enforcement of order under the direction of the President of the Senate; shall execute the commands of the Senate from time to time, together with such process, issued by the authority thereof, as shall be directed to him by the presiding officer; shall see that the rule prohibiting smoking in the Senate Chamber is strictly enforced; shall upon the request of any five members, have the Senate Chamber lighted up during any evening within the session, except Sunday, to an hour not later than 10 P. M.; shall see that no person, except one authorized to do so, disturbs or interferes with the desks of the members, or with the books, papers, etc., thereat, shall see that the printed bills and daily journals are, at the earliest practical period, properly distributed and filed upon the desks of Senators; shall have charge of the files in the Senate bill room, and shall see that no copy of bill is given out except to or upon the order of the President, a Senator or state officers; shall see that an additional doorkeeper is detailed for duty at the Senate Chamber upon each day within the session, except Sunday,

from 8:30 A. M. to 10 P. M., but should not five members of the Senate desire to occupy the Chamber to that hour, the detail may be relieved at 9 P. M.; shall have charge of the messengers of the Senate and see that they severally perform their duties, and shall promptly report to the President of the Senate any inefficiency or violations of duty on the part of said messengers. He shall direct the File Clerk and Bill Clerk, if any employed, in the discharge of their duties.

The Doorkeeper of the Senate shall wear his appropriate badge of office; shall have special charge of the main door of the Chamber during the sittings of the Senate, and shall see that the other doors of the Senate are properly attended to; shall have general charge and oversight of the additional doorkeepers of the Senate; shall detail such of the additional doorkeepers for such general or special duties as the Sergeant-at-Arms may deem proper and necessary for the efficiency of the Senate and the protection of property within the Chamber; shall see that the rule relating to admission to the floor of the chamber is strictly enforced; shall, ten minutes before the opening of each session of the Senate, see that the floor is cleared of all persons not entitled to occupy the same during the session; shall attend to seating visitors, and shall announce all committees and messages from the Governor or House.

The Janitors of the House shall have charge, under the direction of the Sergeant-at-Arms, of the cloak and retiring rooms adjoining the chamber, and shall see that the same are kept in proper order.

The messengers of the Senate shall attend the Senate during its sitting and perform the duties generally devolving on like employes. While the Senate is sitting, two of their number shall be detailed for service in front of the Secretary's desk. The messengers shall be under the direction of the Sergeant-at-Arms, while the Senate is not sitting, and shall attend to such duties as he may assign them.

W. O. MITCHELL,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 65, a bill for an act to prevent combinations between fire insurance companies, and providing penalties therefor, beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate amended as follows:

Strike out in line 4, section 2, the words "any citizens" and insert the words "two or more residents." In line 5, section 2, insert after the word "company" the words "under oath upon their knowledge or belief." In line 9, section 2, after the word "act" insert the words "or if any officer shall fail to appear or submit to an examination after being duly summoned." In line 7, section 3, insert after the word "*de novo*" the words "as equitable causes are tried"; in lines 8 and 9, strike out the words "shall make such decisions or order as to the facts found will justify" and insert the words "may reverse or affirm the decision or order of the auditor. That it be further amended by adding section 4, as follows: "The statements and declarations made or testimony given by any such officer or agent in the investigation before the auditor or upon the hearing and trial before the district court, as provided for in sections 2 and 3 of this act, shall not be used against any person making the same in any criminal prosecution against him."

And with the recommendation that the bill, as amended, do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 31, a bill for an act providing for the giving of bonds by abstractors of title and for the making of abstracts of title and for their use as evidence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 153, a bill for an act to amend section 3814 of chapter 3, title 23, of the Code of Iowa, as amended by the Sixteenth General Assembly, relating to witness fees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 152, a bill for an act repealing section 3630 of the Code of Iowa, relating to special constables and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 151, a bill for an act to prohibit the assignment of claims for witness fees and to prohibit the giving of orders therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 37, a bill for an act to amend section 2178, of the Code, in relation to the sale of property by carriers and others for charges. Introduced January 20, 1896; referred to Committee on Judiciary. Reported back February 6, 1896, that it do pass subject to amendment. Amendments adopted and ordered engrossed; beg leave to report that they have had the same under consideration and find the bill properly engrossed and have instructed me to report the same back to the Senate.

H. L. BYERS,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, made the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 181, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, relating to the appointment of city marshals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 107, a bill for an act providing for a uniform system of book-keeping for county offices, and the appointment of state examiners of county accounts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Compensation of Public Officers.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 179, a bill for an act to amend section 798 of McClain's Code, and to provide for the duties of city marshal, to be performed by other officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred the resolutions relative to the consideration of the Code revision by the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a substitute, with the recommendation that the substitute be adopted, it being as follows:

Resolved, That any proposed amendments made by any committee to a bill from the proposed Code shall be printed, and on one side of the paper only, and furnished to Senators before the bill shall be considered. When bills from the proposed Code are under consideration by the Senate the chairman or some member of the committee shall briefly explain the changes, if any.

C. A. CARPENTER,
Chairman.

HOUSE MESSAGES.

House messages were taken up and read.

House file No. 47, a bill for an act to repeal section 2580 of the Code and enact a substitute therefor, relating to the venue and change thereof in actions aided by attachment, was ordered passed on file.

House message in which the House concurred in Senate file No. 112, a bill for an act to legalize the acts and proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large, was ordered passed on file.

Senator Hurst asked that Senators Ranck and Hipwell be excused; Senator Penrose for Senator Craig, Senator Alexander for Senator Gorrell; Senator Rowen for Senator Druet and Senator Lothrop for himself.

Senator Blanchard moved that Senate file No. 30 be called from the House for the purpose of correction.

Carried.

The President announced the appointment of the following Joint Standing Committee on Enrolled Bills:

Senators Gilbertson and Carroll.

Senator Garst moved that when the Senate do adjourn it be until 11 o'clock A. M. Monday.

Carried.

Senator Carroll moved that the resolution relative to Joint Convention be taken up.

Carried.

Senator Garst moved to amend the resolution by striking out "2 P. M." and inserting "8 P. M."

Amendment was accepted and resolution adopted.

BILLS ON THIRD READING.

On motion of Senator Harper Senate file No. 87, a bill for an act to amend section 2173 of the Code in relation to the sale of property by carriers and others for charges, with report of committee recommending amendments by adding as section 2 the following: "All acts or parts of acts inconsistent with this act are hereby repealed," and when the bill is so amended that it do pass, was taken up, considered and the report of the committee adopted.

The bill was read a third time, and put on its final passage.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Cheshire, Downey, Ellis, Ellison, Ericson, Harper, Hotchkiss, Hurst, Lothrop, Mitchell, Palmer, Penrose, Phelps, Rowen, Sargent, Upton, Waterman—26.

The nays were:

Senators Carroll, Garst, Gilbertson, Harriman, Hobart, Hospers, Kilburn, Perrin, Pusey, Rigger, Trewin, Young—11.

Absent or not voting:

Senators Craig, Druet, Eaton, Everall, Funk, Gorrell, Healy, Henderson, Hipwell, Junkin, Kilburn, Lehfeltdt, Ranck—13.

Senator Waterman moved to take up bills recommended for indefinite postponement.

Carried.

Senate file No. 64, on Calendar, by Code Revision Committee, a bill for an act to revise, amend and codify the statutes in relation to the state and legislative departments, with report of committee recommending it do pass, as amended, was taken up, considered, and the report of the committee was adopted.

Senator Rowen moved that Senate file No. 9 be made a special order for Wednesday, at 10:30 A. M.

Carried.

Senate file No. 33, by Carroll, a bill for an act to repeal chapter 160 of the laws of the Twelfth General Assembly, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senator Blanchard moved that Senate file No. 144 be re-referred to Committee on Educational Institutions.

Carried.

Senator Carney moved that concurrent resolution relative to introduction of bills be taken up.

Carried.

Senator Carney offered the following amendment to the resolution:

Strike out "20th" and insert "29th" in lieu thereof.

Senator Alexander moved the previous question.

Carried.

The amendment was adopted.

On the resolution as, amended, the yeas and nays were called.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Alexander, Bell, Berry, Carney, Carpenter, Carroll, Cheshire, Ellison, Everall, Gilbertson, Harriman, Henderson, Hotchkiss, Hurst, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rikken, Sargent, Trewin, Upton, Waterman—26.

The nays were:

Senators Allyn, Blanchard, Bonson, Byers, Downey, Ellis, Ericson, Garst, Harper, Healy, Hobart, Hospers, Lothrop, Rowen, Young—15.

Absent or not voting.

Senators Craig, Druet, Eaton, Funk, Gorrell, Hipwell, Junkin, Lehfeltdt, Ranck—9.

The resolution was adopted.

Senator Blanchard called attention to an error in Senate file No. 30.

The hour for adjournment having arrived, Senator Cheshire moved that the time be extended fifteen minutes in order to correct error pointed out by Senator Blanchard.

Carried.

Senator Cheshire made the following motion and asked that it be laid over:

I move that that portion of the Senate Journal commencing with the words "Senator Blanchard," on page 6 of the Journal of February 4, and

ending with the words and figures "Trewin—9," on page 7 of the same day's proceedings. be expunged.

Laid over.

The Journals of Thursday and Friday were taken up, but owing to the lateness of the hour the correction was deferred until Monday.

Senator Palmer moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, February 10, 1896. }

Senate met in regular session pursuant to adjournment at 11 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. Glen O. Taylor, pastor of the Congregational church at Stuart, Iowa.

PETITIONS AND MEMORIALS.

Senator Garst presented petition of Thomas Lenstra and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Funk presented petition of G. W. Lutin and others on same subject.

Referred to Committee on Judiciary.

Senator Hobart presented petition of F. E. Whitmore and others on same subject.

Referred to Committee on Judiciary.

Senator Downey presented petition of C. J. Ratican and others on same subject.

Referred to Committee on Judiciary.

Senator Downey presented petition of G. Walter Barr and others relative to licensing plumbers.

Referred to Committee on Public Health.

Senator Penrose presented petition of C. C. Griffin and others relative to impure milk.

Referred to Committee on Public Health.

Senator Eaton presented petition of Josiah Needham and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Upton presented petition of Leven Wanless and others relative to age of consent.

Referred to Committee on Judiciary.

Senator Upton presented petition of E. Elzen and 187 others on same subject.

Referred to Committee on Judiciary.

Senator Harriman presented petition of Grace Blythe and others on same subject.

Referred to Committee on Judiciary.

Senator Harriman presented petition of Mrs. S. D. Allen and others on same subject.

Referred to Committee on Judiciary.

Senator Young presented petition of B. J. Lawman and seventy-four others, favoring passage of Senate file No. 1, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Junkin presented petition of J. E. Scott and others on same subject.

Referred to Committee on Judiciary.

Senator Pusey presented petition of J. M. Flagler and others on same subject.

Referred to Committee on Judiciary.

Senator Rikken presented petition of Amish Menonite congregation, to exempt from jury duty.

Referred to Committee on Judiciary.

Senator Phelps presented petition of F. A. Miller and ninety citizens of Shelby county, Iowa, for the enactment of laws regulating and control of express companies.

Referred to Committee on Ways and Means.

Senator Cheshire presented petition of J. J. Williams and 250 others, relative to the removal of the dam at Bonaparte, Iowa.

Referred to Committee on Fish and Game.

Senator Waterman presented remonstrance of Iseminger Post No. 18 of Chariton, relative to soldiers' and sailors' monument, and asked to have it read.

Referred to Committee on Military.

Senator Rowen presented petition of Lee Grimes and others for the regulation of rates by express companies.

Referred to Committee on Corporations.

INTRODUCTION OF BILLS.

By Senator Gorrell (by request), Senate file No. 280, a bill for an act to make an appropriation to the department of Iowa manufactures of the Iowa State Agricultural society.

Read first and second time and referred to Committee on Manufactures.

By Senator Harper, Senate file 281, a bill for an act to repeal section 420 of the Code of 1873 and enact the following in lieu.

thereof, governing the expense of local boards of health and the tax therefor.

Read first and second time and referred to Committee on Ways and Means.

By Senator Pusey (by request), Senate file No. 232, a bill for an act providing for the organization, examination, regulation and control of mutual building and loan or savings and loan associations, and for the better protection of shareholders in such associations.

Read first and second time and referred to Committee on Building and Loan.

By Senator Sargent (by request), Senate file No. 233, a bill for an act to amend sections 2881 and 2882, chapter 9, title xii, McClain's Code of Iowa, in relation to teachers' certificates.

Read first and second time and referred to Committee on Schools.

By Senator Sargent (by request), Senate file No. 234, a bill for an act to provide for the protection and safety of the public and employes of railways operated by electricity, and to require such railways to vestibule and enclose the platforms of their cars, provide extra brakes and be under the control of the railroad commissioners, and to provide a penalty for the violation thereof.

Read first and second time and referred to Committee on Railways.

By Senator Waterman, Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering railroad or express cars.

Read first and second time and referred to Committee on Judiciary.

By Senator Blanchard, Senate file No. 236, a bill for an act to prohibit the sale and use of impure oil in coal mines, and providing penalties for the violation thereof.

Read first and second time.

Senator Blanchard moved that Senate file No. 236 be taken up, that the rule be suspended, the bill considered engrossed and read a third time now.

Carried.

Third reading of the bill.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis,

Ellison, Everall, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Pusey, Rigger, Sargent, Trewin, Upton, Waterman, Young—38.

The nays were:

None.

Absent or not voting:

Senators Allyn, Byers, Carney, Ericson, Funk, Healy, Hipwell, Lehfeldt, Lothrop, Phelps, Ranck, Rowen—12.

So the bill passed and the title was agreed to.

By Senator Ellis, Senate file No. 237, a bill for an act providing for the better protection of logs and lumber lying in the waters of the state, or bordering thereon, and to punish the violation thereof.

Read first and second time.

Senator Ellis moved that the rule be suspended and that Senate file No. 237 be considered engrossed and read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Garst, Gilbertson, Gorrell, Harper, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Byers, Carney, Eaton, Ericson, Everall, Funk, Harriman, Healy, Hipwell, Hurst, Kilburn, Lehfeldt, Lothrop, Ranck, Young—16.

So the bill passed and the title agreed to.

Senator Cheshire offered the following motion as a substitute for the motion laid over from Saturday, and moved its adoption:

I move to expunge the last thirteen lines on page six and the first eleven lines on page seven of the Senate Journal of the date of February 4, 1896, relating to Senate file No. 30, for the reason that when such record was made there was no enacting clause in the bill.

Carried.

Senator Harper moved that Senate file No. 37 be now called up for the purpose of agreeing to the title.

The bill having received a constitutional majority was declared passed by the Senate, and the title was agreed to.

Senator Bell moved that two hundred extra copies of Senate file No. 136 be printed.

Carried.

Senator Trewin moved that five hundred extra copies of Senate file No. 160 be printed.

Carried.

Senator Rikken introduced the following concurrent resolution, and moved its adoption:

WHEREAS, There remains a large number of volumes Nos. 1, 2 and 3 of the reports of the Iowa geological survey undistributed; therefore

Resolved, by the Senate, the House concurring, That the director of this bureau be instructed to furnish to each member of the Senate and House two copies each of the above report.

Laid over.

Senator Harper made the following motion:

I move that the following words on page 16 of the Senate Journal, February 8, 1896: "So the bill, having failed to receive the constitutional majority, was declared lost," be expunged.

Carried.

The Journals of Thursday, Friday and Saturday were taken up, read, corrected and approved.

Pending correction of the Journal, the hour of adjournment arrived and Senator Trewin moved that the time of adjournment be extended fifteen minutes for the purpose of correcting the Journal and receiving the reports of committees.

Carried.

Senator Harper moved that the last paragraph but one on page 16, Journal of Saturday, February 8, be stricken out.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 55, a bill for an act to appropriate money to procure for the Governor's rooms in the Capitol, portraits of ex-Governors John H. Gear, Buren R. Sherman, William Larrabee, Horace Boies and Frank D. Jackson

House file No. 73, a bill for an act to legalize the acts and ordinances of the incorporated town of Minburn, Dallas county, Iowa.

House file No. 58, a bill for an act to authorize townships to build public halls.

House file No. 57, a bill for an act to legalize the proceedings of the board of supervisors of Wright county.

House file No. 31, a bill for an act defining fraternal beneficiary societies, orders or associations and regulating the same.

House file No. 56, a bill for an act to legalize the acts and ordinances of the incorporated town of Leland, Winnebago county, Iowa.

House file No. 109, a bill for an act to legalize the incorporation of the town of Colesburg, Delaware county, Iowa.

House file No. 90, a bill for an act to amend section 3814 of the Code of Iowa, as amended by the Sixteenth General Assembly, chapter 62, relating to witness fees.

House file No. 96, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, and for other purposes.

House file No. 101, a bill for an act to legalize the incorporation of the acts of the members and the trustees of the Elk Creek Lutheran congregation, of Worth county, Iowa.

House file No. 48, a bill for an act to amend section 492 of the Code relating to the proof of ordinances.

House file No. 166, a bill for an act to legalize the incorporation of the town of Whitten, Hardin county, Iowa, and to legalize the acts of the officers and all acts done and ordinances passed by the council of said town.

House file No. 51, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Ionia in Chickasaw county, Iowa.

Also concurred in Senate file No. 39, a bill for an act to release the Asylum for Destitute and Orphan Children at Andrew, Iowa, from indebtedness to the state, in which the concurrence of the House was asked.

Also concurred in concurrent resolution relative to Joint Convention.

JAS. D. ROWEN,
Chief Clerk.

REPORT OF STANDING COMMITTEES.

Senator Trewin, from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 40, a bill for an act to provide text books for the use of pupils in the public schools without charge for the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a substitute and the recommendation that such substitute do pass.

COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 40.

A bill for an act to enable boards of school directors to provide free text books for pupils in the public schools.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Whenever a petition signed by ten or more legal voters of any school township or independent district shall be filed with the secretary thirty days or more before the annual meeting of the electors, asking that the question of providing free text books for the use of pupils in the public schools thereof, be submitted to the voters at the next annual meeting, he shall cause notice of such proposition to be given in the call for such meeting.

SEC. 2. If at such meeting a majority of the legal voters present and voting by ballot thereon shall authorize the board of directors of said school township or independent district to loan text books to the pupils free of charge, then the board shall procure such books as shall be needed, in the manner provided by law for the purchase of text books, and loan them to the pupils.

SEC. 3. The board shall hold pupils responsible for any damage to, loss of, or failure to return any such books, and shall adopt such rules and regulations as may be reasonable and necessary for the keeping and preservation thereof.

SEC. 4. Any pupil shall be allowed to purchase any text book used in the school at cost.

SEC. 5. No pupil already supplied with text books shall be supplied with others without charge until needed.

J. H. TREWIN,
Chairman.

Ordered passed on file and substitute printed.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred the petition from the board of supervisors of O'Brien county to have certain lands subject to lien of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Federal Relations.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 174, a bill for an act to amend section 1717 of the Code of 1873, as amended by chapter 51, laws of 1882, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Schools.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee of Highways, to whom was referred Senate file No. 116, a bill for an act to amend sections 969, 975, 981 and 996 of the Code relative to the meeting of township trustees for settlement with road supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined Joint Resolution No. 3, relative to the purchase of 210 camp chairs, and that they find the same correctly enrolled.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined Joint Resolution No. 1, in reference to the purchase of McClain's or Miller's Codes, and that they find the same correctly enrolled.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, to whom was referred Senate file No. 112, a bill for an act legalizing the proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large, and that they find the same correctly enrolled.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Craig moved that the Senate do now adjourn until 10 o'clock A. M. tomorrow.

Carried.

Senate adjourned.

SENATE CHAMBER.
DES MOINES, Iowa, Tuesday, February 11, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. I. P. Teters, of Ottumwa, Iowa.

PETITIONS AND MEMORIALS.

Senator Ellis presented petition of I. N. Haverville and 160 others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Ellis presented petition of G. A. R. posts of Jackson county, relative to soldiers' monument, and asked for its reading.

Referred to Committee on Military.

Senator Everall presented petition of J. H. Hill and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Gorrell presented petition of John Vandermast and others, relative to dam at Bonaparte.

Referred to Committee on Fish and Game.

Senator Gorrell presented petition of F. F. Taylor and twenty-three others, relative to the control of business of express companies.

Referred to Committee on Ways and Means.

Senator Penrose presented petition of W. G. Malin and others, relative to resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Palmer presented a memorial of I. G. White Post No. 108, G. A. R. relative to the soldiers' monument, and asked that it be read.

Referred to Committee on Military.

Senator Berry presented petition of C. J. Trueblood and others relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Waterman presented petition of W. R. Brown and others on same subject.

Referred to Committee on Judiciary.

Senator Allyn presented memorial of Leon Post No. 251, G. A. R., relative to the soldiers' monument.

Referred to Committee on Military.

Senator Palmer presented memorial of Washington County Mutual Insurance Company, relative to Code revision.

Referred to Committee on Insurance.

Senator Ericson presented petition of George W. Crooks and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Druet presented petition of S. M. King and others on same subject.

Referred to Committee on Judiciary.

Senator Ellison presented petition of W. H. Prentice and others on same subject.

Referred to Committee on Judiciary.

Senator Alexander presented petition of F. W. Whitney and others, relative to age of consent.

Referred to Committee on Judiciary.

Senator Harriman presented petition of Frank G. Wilcox and others on same subject.

Referred to Committee on Judiciary.

Senator Healy presented petition of L. R. Dohs and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Blanchard presented memorial of Oskaloosa board of education, relative to amendment of school laws.

Referred to Committee on Schools.

Senator Cheshire presented petition of A. Hartney and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of Ministerial association of Des Moines, relative to age of consent.

Referred to Committee on Judiciary.

Senator Blanchard presented petition of superintendent of schools of Mahaska county, relative to Senate file No. 161.

Referred to Committee on Educational Institutions.

INTRODUCTION OF BILLS.

By Senator Carney, Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporation of Le Grand, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Carpenter (by request), Senate file No. 239, a bill for an act to amend chapter 104 of the acts of the Twenty-first General Assembly, relating to practice of medicine.

Read first and second time and referred to Committee on Public Health.

By Senator Cheshire, Senate file No. 240, a bill for an act making appropriation for State Industrial School for Girls, at Mitchellville, Iowa.

Read first and second time and referred to Committee on Appropriations.

By Senator Eaton, Senate file No. 241, a bill for an act legalizing acts of council of the town of Coin, Page county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said town.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 242, a bill for an act to amend section 1309, Code of Iowa, in relation to judgment liens against corporations.

Read first and second time and referred to Committee on Railroads.

By Senator Hipwell, Senate file No. 243, a bill for an act to amend sections 6 and 11 of chapter 7 of the laws of the Twenty-fifth General Assembly, relating to the paving and curbing of streets, or the construction of sewers.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Junkin, Senate file No. 244, a bill for an act to provide for the auditing and payment of certain expenses of district judges.

Read first and second time and referred to Committee on Judiciary.

By Senator Junkin, Senate file No. 245, a bill for an act repealing chapter 30 of the acts of the Fifteenth General Assembly, as amended by chapter 68 of the acts of the Seventeenth General Assembly, relative to powers of boards of supervisors, and to enact a substitute therefor.

Read first and second time and referred to Committee on Code Revision.

By Senator Junkin, Senate file No. 246, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the state.

Read first and second time and referred to Committee on Claims.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 98, a bill for an act to amend sections 509 and 510 of the Code of 1873, relating to changing class of cities and towns.

House file No. 122, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly of the State of Iowa.

JAMES D. ROWEN,
Chief Clerk.

Ordered passed on file.

HOUSE MESSAGES.

Senator Blanchard moved to take up House messages
Carried.

House messages taken up.

House file No. 47, a bill for an act to repeal section 2580 of the Code and enact a substitute therefor, relating to the venue and change thereof in actions aided by attachment, was read first and second time and referred to Committee on Judiciary.

House file No. 55, a bill for an act to appropriate money to procure for the Governor's rooms in the Capitol, portraits of ex-Governors John H. Gear, Buren R. Sherman, William Larabee, Horace Boies and Frank D. Jackson, was read first and second time and referred to Committee on Appropriations.

House file No. 83, a bill for an act to legalize the acts and ordinances of the incorporated town of Minburn, Dallas county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 58, a bill for an act to authorize townships to build public halls, was read first and second time and referred to Committee on Cities and Towns.

House file No. 57, a bill for an act to legalize the proceedings of the board of supervisors of Wright county, was read first and second time and referred to Committee on Judiciary.

House file No. 31, a bill for an act defining fraternal beneficiary societies, orders or associations and regulating the same, was read first and second time and referred to Committee on Judiciary.

House file No. 56, a bill for an act to legalize the acts and ordinances of the incorporated town of Leland, Winnebago

county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 109, a bill for an act to legalize the incorporation of the town of Colesburg, Delaware county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 90, a bill for an act to amend section 3814 of the Code of Iowa, as amended by the Sixteenth General Assembly, chapter 62, relating to witness fees, was read first and second time and referred to Committee on Judiciary.

House file No. 96, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, and for other purposes, was read first and second time and referred to Committee on Judiciary.

House file No. 101, a bill for an act to legalize the incorporation of the acts of the members and trustees of the Elk Creek Lutheran congregation of Worth county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 48, a bill for an act to amend section 492 of the Code, relating to proof of ordinances, was read first and second time and referred to Committee on Judiciary.

House file No. 166, a bill for an act to legalize the incorporation of the town of Whitten, Hardin county, Iowa, and to legalize the acts of the officers and all acts done and ordinances passed by the council of said town, was read first and second time and referred to Committee on Judiciary.

House file No. 51, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Ionia, in Chickasaw county, Iowa, was read first and second time and referred to Committee on Judiciary.

Senate file No. 39, a bill for an act to release the Asylum for Destitute and Orphan Children at Andrew, Iowa, from indebtedness to the state, in which the House concurred, was passed on file.

Concurrent resolution, relative to Joint Convention, in which the House concurred, was passed on file.

House file No. 98, a bill for an act to amend sections 509 and 510 of the Code of 1873, relative to changing class of towns and cities, was read first and second time and referred to Committee on Cities and Towns.

House file No. 122, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly of the State of

Iowa, was read first and second time and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEES.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 19, a bill for an act authorizing cities of the first class to lay sidewalks in said cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted for said Senate file No. 19, and recommend that said substitute do pass.

A BILL

For an Act Authorizing Cities of the First Class to Lay Sidewalks in said Cities.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities of the first class are hereby authorized, in addition to the powers heretofore granted, to provide by ordinance for the laying of temporary sidewalks on the public streets and highways of said cities in front of property abutting thereon and used for purposes of agriculture and horticulture and not divided into city lots, and to assess a special tax upon said property to pay for the same, such assessment not to exceed forty cents per lineal foot; but said assessment and improvement shall not be made or ordered to be made until three-fourths of all the members of the council of such city shall, by vote, assent to the making of same

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file and printed.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 34, a bill for an act to amend section 4 of chapter 47 of the acts of the Sixteenth General Assembly, and also section 5 of chapter 169 of the acts of the Seventeenth General Assembly of the State of Iowa, relating to taxation of agricultural and horticultural lands within incorporated cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Hobart, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873, relative to offices, fuel and stationery for county officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: By striking out all that part of the bill after the word "following" in the fifth line of the original bill and insert the following in lieu thereof: "Nothing herein shall be construed to include the law books or library of the county attorney," and that when so amended that the bill do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

BILLS ON THIRD READING.

Senator Carpenter called up Senate file No. 64 and asked that it be laid over until to-morrow, but retain its place on the Calendar.

BILLS ON SECOND READING.

On motion of Senator Craig, Senate file No. 57, a bill for an act to revise, amend and codify the statutes relative to militia, with report of committee recommending certain amendments, and that when the bill is so amended it do pass, was taken up, considered and the report of the committee adopted.

Senator Craig moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lehfelddt, Mitchell, Palmer, Perrin, Phelps, Rigger, Rowen, Sargent, Upton, Waterman—36.

The nays were:

Senators Cheshire, Gorrell, Harper and Penrose—4.

Absent or not voting.

Senators Bonson, Downey, Healy, Hipwell, Junkin, Lothrop, Pusey, Ranck, Trewin, Young—10.

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Harriman moved to reconsider the vote by which Senate file No. 57 was passed.

Senator Carpenter moved to lay the motion to reconsider on the table.

A division was called and the motion to lay on the table was lost.

The motion to reconsider prevailed.

Senator Cheshire moved that the vote by which Senate file No. 57 was ordered to a third reading be reconsidered.

Carried.

Senator Craig moved that all marginal figures and reference numbers at end of each section, and all underscores in the bill be stricken out.

Carried.

Senator Craig moved that the rules be suspended, the bill be considered engrossed, that the reading just had be the third reading and the bill be put upon its final passage.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Phelps, Rikken, Rowen, Sargent, Trewin, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Downey, Ellison, Healy, Lehfeldt, Lothrop, Mitchell, Upton, Pusey, Ranck—10.

So the bill having received a constitutional majority was declared to have passed the Senate and the title agreed to.

Senate file No. 70, a bill for an act for the punishment of crimes for second and subsequent offenses, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 26, a bill for an act to amend section 5479, chapter 15 of McClain's Code, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senator Ranck presented petition of N. G. Brown and others, relative to age of consent.

Referred to Committee on Judiciary.

Senator Alexander presented petition of J. G. Graves and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Bonson presented petition of W. V. Oldridge and others on same subject.

Referred to Committee on Judiciary.

Senator Penrose presented petition of W. W. McElhinney and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Penrose presented remonstrance of W. G. Malin and others against the manufacture of liquors.

Referred to Committee on Suppression of Intemperance.

Senator Waterman presented petition of Chris How and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Ericson presented petition of T. E. Means and twenty-two others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Allyn presented petition of physicians of Creston, Iowa, regarding supervision of plumbers.

Referred to Committee on Public Health.

Senator Phelps presented petition of Mead Post, G. A. R., Anita, Iowa, relative to soldiers' monument.

Referred to Committee on Military.

Senator Byers presented petition of Robert Jackson of G. A. R. Post No. 192, at Corydon, relating to soldiers' monument.

Referred to Committee on Military.

Senator Byers presented petition of G. A. R. Post at Chariton on same subject.

Referred to Committee on Military.

Senator Byers presented petition of G. W. Larmer and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Junkin presented petition of Jared Hall and others on same subject.

Referred to Committee on Judiciary.

Senator Berry presented petition of W. P. Lucas and others on same subject.

Referred to Committee on Judiciary.

Senator Palmer presented petition of judges of the Sixth judicial district, relative to terms of clerks of the district court.

Referred to Committee on Elections.

President Parrott presented remonstrance of T. P. Lyman and others against the passage of a manufactures bill.

Referred to Committee on Suppression of Intemperance.

Senator Ellis presented petition of H. A. Lucas and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Garst presented petition of H. L. Leland and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Junkin presented petition of Wesley Chervand and thirty-one others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Carney, Senate file No. 247, a bill for an act to amend section 289 and 290 of the Code of 1873 as amended by chapter 54 of acts of the Twenty-fifth General Assembly, relating to the bonding of county indebtedness.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Eaton, Senate file No. 248, a bill for an act to make an appropriation for the Hospital for Insane at Clarinda.

Read first and second time and referred to Committee on Appropriations.

By Senator Funk, Senate file No. 249, a bill for an act to regulate the use of wharves upon the shores and banks of lakes and navigable streams.

Read first and second time and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 250, a bill for an act to authorize the executive council to purchase or condemn real property for the use of the state, and to grade, improve and ornament the same.

Read first and second time and referred to Committee on Appropriations.

By Senator Harper, Senate file No. 251, a bill for an act to authorize the assessment and levy and collection of taxes for park purposes in certain cities of the first class.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Healy, Senate file No. 252, a bill for an act to define and regulate banks and bankers and to subject persons, associations, co-partnerships and corporations, who may be engaged in carrying property for hire and who may sell drafts, checks, receipts or orders for money, to the provisions thereof.

Read first and second time and referred to Committee on Banks.

By Senator Hobart, Senate file No. 253, a bill for an act to legalize the organization of independent school districts of Larabee, Cherokee county, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Kilburn, Senate file No. 254, a bill for an act defining the number of officers and employes of the General Assembly.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Perrin, Senate file No. 255, a bill for an act to empower judges of the district court to have additional jurors sit in the trial of criminal cases.

Read first and second time and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 256, a bill for an act to provide for the payment of balance of salary due N. B. Raymond as reporter of the supreme court for the year ending January 1, 1895.

Read first and second time and referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 157, a bill for an act to establish qualifications for the county superintendents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Insert at the end of the second line of the third section the words, "June or" and after the word "each" in the third line the word "odd," and that the same as amended do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 198, a bill for an act to repeal sections 1 and 4 of chapter 82 of the acts of the Fourteenth General Assembly, as amended by chapter 195 of the acts of the Twentieth General Assembly, in relation to the dissection of dead bodies, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: By adding the clause "or if the deceased has not expressed a desire during his last sickness that his body should be interred" just after the word "body" in line nine of section 1, and also by adding the word "dollars" just after the word "five" in line twenty of section 1, and that when so amended the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Phelps, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution No. 9, a joint resolution proposing an amendment to the state constitution in relation to suffrage, beg leave to report that they have had the same under consideration and have instructed to report the same back to the Senate with the recommendation that it do pass.

JULIAN PHELPS,
Chairman.

The minority of the committee presented a report.

Ordered passed on file.

MINORITY REPORT.

MR. PRESIDENT—We desire to dissent from the report of the majority of your Committee on Constitutional Amendments, to whom was referred Joint Resolution No. 9, and recommend that said joint resolution be indefinitely postponed.

We are constrained to take this ground, not because that we do not believe that the women, if given the right to vote would not exercise it in an intelligent manner, but because we do sincerely believe that this right is not sought for by any considerable number of our mothers, wives and others. We do not believe that, if they possessed this right, it would change the condition of society in the least. We do not believe that there exists a demand for this radical change that merits genuine consideration. We do not believe that, if this right was accorded women, any considerable number of them would take advantage of it.

It has always been the wisdom of our laws to surround the home and all that relationship with the fullest safeguards, and this caution on the part of the law goes to that extent, which will not permit the wife, in certain actions, to testify against the husband. It is the theory of the law that nothing from without shall be permitted to enter to endanger any of the relations upon which the good of society depends.

In view of the danger that such an amendment might involve to all desirable existing conditions, and with an earnest and honest wish to surround the home with all possible safeguards, we most earnestly and honestly protest against the adoption of the majority's report.

T. G. HARPER.

C. S. RANCK.

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 111, a bill for an act authorizing the acceptance of gifts to public institutions of the state, the execution by the executive council of the state, of contracts relating to such gifts and the management and control of such property so received and held, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute for said bill be adopted, and when so adopted that the same do pass, to-wit:

SUBSTITUTE FOR SENATE FILE NO. 111.

A bill for an act to authorize the state or any county or other municipal corporation to receive, hold, and manage gifts, devises, and bequests made thereto absolutely or in trust for specific purposes.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. A gift, devise, or bequest of property, real or personal, may be made to the state, or to any county or other municipal corporation to be held absolutely or in trust for and applied to any specific purpose within the scope of its authority, but the same shall not become effectual to pass the title in such property unless accepted by the executive council in behalf of the state, or the governing board or body in behalf of a municipal corporation as the case may be.

SEC. 2. If the gifts are made to the state or a county or municipal corporation in accordance with the preceding section, for the benefit of an institution thereof, the property, if accepted, shall be held and managed in the same way as other property of the state, county, or corporation acquired for or devoted to the use of such institution; and any conditions attached to such gift shall become binding upon the state, county, or corporation upon the acceptance thereof.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

L. C. BLANCHARD,

Chairman.

Ordered passed on file.

Senator Carroll, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 104, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

Strike off all marginal numbers used in numbering lines, all reference numbers and underlinings.

Amend section 1 by substituting the word " May " for the word " April " in line 4 of said section.

Amend section 5 by striking out the words " to be fixed by the Governor " in line 20.

Substitute the words " one or more " for the word " five " in line 2, section 7.

Amend section 8 by inserting after the word " applicant " in line 15 the following: " except when it shall be shown that said applicant's property has been undermined, in which case the expenses shall be paid by the mine owner or operator."

Amend the bill by numbering sections 10, 11, 12, 13 and 14, respectively, 11, 12, 13, 14 and 15.

Add as section 10: In all mines there shall be allowed one year to make outlets as provided for in section 9, when such mine is under 200 feet in depth, and two years when such mine is over 200 feet in depth; but not more than twenty men shall be employed in such mine at any one time until the provisions of section 9 are complied with; and after the expiration of the period above mentioned, should said mine not have the outlets aforesaid, they shall not be operated until made to conform to the provisions of section 9.

Amend section 11 by substituting for the word " he " in line 1 the words " the owner or person in charge of any mine."

Amend section 12 by substituting for the word " he " in line 1 the words " the owner or person in charge of any mine." Substitute for the word " carriages " in line 4 of said section the word " cages." Add after the word " use " in line 14 of said section the following: " and shall send such props down when required and deliver the same to the places where needed."

Amend section 13 by substituting for the word " he " in line 1 the words " the owner or operator."

B. F. CARROLL,
Chairman.

Ordered passed on file.

BILLS ON THIRD READING.

The President announced that the hour for the special order, Senate file No. 9, with majority and minority reports, had arrived.

Senator Cheshire moved that the majority report be adopted.

Senator Mitchell moved to amend by substituting the words " minority report " for the words " majority report."

On this the yeas and nays were called for.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate was asked, relative to mileage of visiting committees.

Also:

House file No. 161, a bill for an act to apply to cities of the first class, the provisions of chapter 78, acts of the Twenty-first General Assembly, as amended by chapter 17, acts of the Twenty-second General Assembly, and chapter 15, acts of the Twenty-fourth General Assembly, and chapter 8, acts of the Twenty-fifth General Assembly, relating to the indebtedness of cities and towns.

Also:

House file No. 39, a bill for an act repealing section 3959 of the Code and enacting a substitute therefor, relative to the breaking of jail.

Also:

House file No. 135, a bill for an act to amend sections 2881 and 2882, chapter 9, title xii, of McClain's Code of Iowa, in relation to teachers' certificates.

Also:

House file No. 191, a bill for an act to authorize the executive council to sell and convey a part of the lands purchased by the state for the use of the Iowa State Agricultural society in Polk county, Iowa, under the provision of chapter 199 of the Twentieth General Assembly, and to purchase other land for the use of said society.

Also:

House file No. 72, a bill for an act to provide for the publication of the annual proceedings of the Iowa State Dairy association.

Also:

Senate file No. 76, a bill for an act to legalize ordinances passed by the incorporated town of Glidden.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

JOINT RESOLUTION NO. 10, RELATIVE TO THE TRANS-MISSISSIPPI EXPOSITION TO BE HELD AT OMAHA, NEBRASKA, IN THE YEAR 1898.

WHEREAS, Delegates representing the twenty-four states and territories lying west of the Mississippi river at the Trans-Mississippi Congress of 1895 adopted a resolution providing for the holding of an exposition for the purpose of exhibiting the products, manufactures, arts and industries of these states and territories; and

WHEREAS, The said convention voted to hold the said exposition at the city of Omaha, Nebraska, in the year 1898; and,

WHEREAS, The common interest of the states and territories constituting this great region as well as of the country at large will be greatly promoted thereby and the interest of the state of Iowa, lying at its gateway, will be especially benefitted by such an exposition on her borders; therefore, be it

Resolved, by the General Assembly of the State of Iowa, That the holding of the said Trans-Mississippi Exposition is hereby heartily approved, and that Senators and Representatives in Congress from Iowa are requested to co-operate with the Senators and Representatives from our sister state, Nebraska, and the other Trans-Mississippi states in procuring the passage at this session of Congress of a bill giving national recognition to said exposition, and providing for an appropriation for a national exhibit and the necessary and proper buildings to contain the same; and be it further

Resolved, That a copy of the foregoing resolution be certified by the Secretary of the Senate, under seal of the state, and sent to Senators and Representatives in Congress from Iowa.

JAMES D. ROWEN,
Chief Clerk.

Senator Funk moved that further consideration of the special order be postponed until 10:30 to-morrow.

Carried.

The President announced that a committee from the Pioneer Law Makers' association was present.

The committee appeared, and through ex-Lieutenant-Governor Dungan, extended an invitation to the Senate to meet with them this afternoon and to-morrow afternoon.

Senator Harriman moved that a committee of two on the part of the Senate be appointed to extend an invitation to the Pioneer Law Makers' association to visit the Senate.

Carried.

The President announced as such committee Senators Harriman and Perrin.

Colonel Moore, Assistant Doorkeeper, was granted leave of absence through the session of the Pioneer Law Makers.

Senator Waterman moved that Senate file No. 103 be recalled from the House.

Carried.

Senator Garst moved that the time of adjournment be extended fifteen minutes.

Carried.

HOUSE MESSAGE.

Senator Garst called up the House Joint Resolution No 10, relating to Trans-Mississippi Exposition at Omaha, and moved its adoption.

The roll was called.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin Upton, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Byers, Ellis, Hipwell, Hospers, Lothrop, Mitchell Ranck—7.

So the joint resolution passed.

The Journal of Monday and Tuesday were taken up, read corrected and approved.

Senate adjourned until to-morrow at 10 o'clock A. M

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, February 13, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. Levi Jarvis, of the M. E. church, Redding, Iowa.

PETITIONS AND MEMORIALS.

Senator Craig presented petition of Mel Pierce and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Bonson presented petition of Hyde Clark Post, G. A. R., asking that Washington's birthday be made a national holiday, and asked to have it read.

Referred to Committee on Military.

Senator Bonson presented petition of the Dubuque Medical society in reference to a hospital for the medical department at the State University, and asked to have it read.

Referred to Committee on Appropriations.

Senator Byers presented petition of Hyde Clark Post, G. A. R., in favor of making February 22nd a national holiday.

Referred to Committee on Military.

Senator Garst presented petition of same on same subject.

Referred to Committee on Military.

Senator Garst presented petition of M. Slife and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Harper presented petition of C. L. Matthies Post, G. A. R., relative to soldiers' monument, and asked to have it read.

Referred to Committee on Military.

Senator Harper presented petition of C. L. Matthies Post, G. A. R., for enlargement and improvement of Soldiers' Home at Marshalltown, Iowa, and asked to have it read.

Referred to Committee on Military.

Senator Hobart presented petition of Geo. S. Smith and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Kilburn presented petition of T. F. Kelley and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Everall presented petition of Robert Osborn and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Gilbertson presented petition of C. O. Remson and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Gilbertson presented petition of judges of the district courts, relative to the election of clerks of the district court.

Referred to Committee on Elections.

Senator Harriman presented petition of Hyde Clark Post, G. A. R., asking that February 22nd be made a legal holiday.

Referred to Committee on Military.

Senator Bell presented petition of same on same subject.

Referred to Committee on Military.

Senator Rigger presented petition of A. F. Rayburn and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Rigger presented petition of Hyde Clark Post, G. A. R., relative to making February 22nd a national holiday.

Referred to Committee on Military.

Senator Penrose presented petition of Charles Benesch and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Phelps presented petition of John F. Meyers and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Sargent presented petition of J. C. Duke and others on same subject.

Referred to Committee on Judiciary.

Senator Allyn presented petition of F. C. Morley and others on same subject.

Referred to Committee on Judiciary.

Senator Ericson presented petition of Mrs. Helen Welsh, relating to Senate file No. 5, relative to public libraries.

Referred to Committee on Public Libraries.

Senator Trewin presented petition of W. H. Lower and others, relating to the control of express companies.

Referred to Committee on Railways.

Senator Hotchkiss presented petition of G. W. Merrill and others, relating to age of consent.

Referred to Committee on Judiciary.

Senator Harriman presented petition of L. F. Pomplun and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Rowen presented petition of A. M. Giesoh and others, relative to the age of consent.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Carpenter, Senate file No. 257, a bill for an act to aid in bringing reports of the Iowa supreme court decisions up to date, and provide compensation therefor.

Read first and second time and referred to Committee on Judiciary.

By Senator Carpenter, Senate file No. 258, a bill for an act to change the compensation of the supreme court reporters, and to facilitate the business of his office.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 259, a bill for an act to repeal sections 1 and 5 of chapter 157 of the laws of the Twenty-first General Assembly, and enact a substitute therefor.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellis (by request), Senate file No. 260, a bill for an act to amend section 1132 of the Code of Iowa, as amended by chapter 29, laws of the Twenty-fourth General Assembly.

Read first and second time and referred to Committee on Judiciary.

By Senator Hobart, Senate file No. 261, a bill for an act entitled an act relating to the membership of boards of supervisors, the election of such supervisors, and relating to the powers and duties thereof.

Read first and second time and referred to Committee on Code Revision

By Senator Pusey, Senate file No. 262, a bill for an act to amend section 1132, Code of Iowa, in relation to insurance.

Read first and second time and referred to Committee on Insurance.

By Senator Trewin, Senate file No. 263, a bill for an act to establish and continue a chair of pedagogy in the State Agricultural College at Ames, Iowa.

Read first and second time and referred to Committee on Educational Institutions.

By Senator Berry (by request), Senate file No. 264, a bill for an act to compel street railway companies to protect certain members of their employes from the inclemency of the weather.

Read first and second time and referred to Committee on Railways.

By Senator Berry, Senate file No. 265, a bill for an act entitled an act providing for an examining committee in each county to examine the proceedings of the supervisors of such county, and to examine into the acts and reports of members thereof and committee officers and agents appointed by the board of supervisors in the several counties.

Read first and second time and referred to Committee on Code Revision.

By Senator Downey, Senate file No. 266, a bill for an act making an appropriation for the penitentiary at Ft. Madison.

Read first and second time and referred to Committee on Appropriations.

Senator Pusey presented the following resolution, and moved its adoption:

Resolved, That the application of Jas. Johnson for a pardon from the penitentiary at Fort Madison, Iowa, be referred to the Committee on Penitentiary and Pardons.

Adopted.

Senator Trewin moved that 300 additional copies of Senate file No. 161 be ordered printed.

Carried.

The President announced that the hour for the special order had arrived.

Senator Carney moved that the special order be postponed ten minutes.

Carried.

Then followed the reports of committees, during which the time of limit of postponement expired and Senator Carney moved

that the special order be delayed until reports of committees could be presented.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 247, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 56 of the acts of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor and that said substitute do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 29, a bill for an act to regulate primary elections for nomination of candidates by political parties or associations, and to punish frauds therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the attached bill be substituted for it and that the substitute do pass.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Berry, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file No. 5, a bill for an act to amend chapter thirteen (13), title twelve (12), of the Code, in relation to State Library, and to provide for an extension of the use thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. H. BERRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the acts of the Twenty-fifth General Assembly, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

That line 16, section 1, be amended by striking out the word "consistent" and inserting in lieu thereof the word "inconsistent."

That section 2 be amended by inserting in line 4 after the word "mill" the words "in cities of the first class, and not exceeding two (2) mills on the dollar in incorporated towns and cities of the second class."

That section 2, line 5, be amended by inserting the words "or town" after the word "city," and when so amended the bill do pass.

W. H. BERRY,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 51, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Ionia, in Chickasaw county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at the end of section 1 the following: "provided, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 56, a bill for an act to legalize the acts and ordinances of the incorporated town of Leland, Winnebago county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be amended by substituting the word "on" for the word "an" after the first word (whereas) in second paragraph of preamble, and that at the end of section 1 the following words be added: "Provided, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 73, a bill for an act to legalize the acts and ordinances of the incorporated town of Minburn, Dallas county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that

the bill be amended by adding at the end of section 1 the following: "*Provided*, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 96, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, the election of its officers, and all official acts done and ordinances passed by council of said town, not in contravention of the laws of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at the close of section 1, the following: "*Provided*, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 101, a bill for an act to legalize the incorporation and the acts of the members and the trustees of the Elk Creek Lutheran congregation of Worth county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all after the word "meetings," namely, "and that the said congregation may adopt such by-laws for their government as they may *deem* proper," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 109, a bill for an act to legalize the incorporation of the town of Colesburg, Delaware county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out the words "laws by" in the third paragraph of the preamble. Strike out the words "in every respect" at the end of section 1. Add at the end of section 1 the following: "*Provided, however*, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 122, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Public Health.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 126, a bill for an act repealing section 16, chapter 58 of the acts of the Twenty-first General Assembly and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Military.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 166, a bill for an act to legalize the incorporation of the town of Whitten, Hardin county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding at the end of section 1 the following; "*Provided*, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have taken under consideration and examined the following bill:

Senate file No. 39, a bill for an act to relieve the Asylum for Destitute and Orphaned Children at Andrews, Iowa, from its indebtedness to the state, and that they find the same correctly enrolled.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval, Senate file No. 44, an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval, Senate file No. 6, an act tendering to the United States jurisdiction over certain Indians and their lands, and the privilege of purchasing land in Tama county for Indian school purposes.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval, Joint Resolution No. 5, relative to newspaper reporters shall be entitled to draw stationery supplies.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval Senate file No. 4, an act for better protection of fish.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval Joint Resolution No. 3, relative to the purchase of 210 camp chairs.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval Joint Resolution No. 1, in reference to the purchase of McClain's or Miller's Codes.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day filed with the Governor for his approval Senate

file No. 112, a bill for an act legalizing the proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large.

G. S. GILBERTSON,
Chairman.

Senator Carney moved that the report of the committee recommending substitute for Senate file No. 247, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 56 of the acts of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness do pass be adopted, and that the reading just had be the third reading, that the bill be considered engrossed and put upon its passage.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—47.

The nays were:

None.

Absent or not voting:

Senators Byers, Garst and Lehfeldt—3.

So the bill passed and the title was agreed to.

Senator Berry moved that Senate file No. 5 and report of committee be referred to Committee on Appropriations.

Senator Waterman moved that all speeches in the further consideration of the majority and minority reports of Senate file No. 9 be limited to ten minutes.

Carried.

Senator Ellis then resumed the discussion of the special order, Senate file No. 9.

Senators Harriman and Perrin presented the following report:

To the President of the Senate:

MR. PRESIDENT.—Your committee appointed to invite the Pioneer Law Makers to visit the chamber, beg leave to report that they have performed that duty; that the Pioneer Law Makers have accepted the invitation extended by the Senate, and that they will reach this Chamber about 11:30 o'clock A. M., and will be received by the Senate, the Senators rising and

vacating seats. The President to receive the President of the Pioneer Law Makers, resigning seat and gavel. Address of welcome by the Senator from Mahaska; exercises by visitors; closing address by the Senator from Fremont.

W. F. HARRIMAN,
WM. B. PERRIN,
Committee.

Senator Harriman moved that the session of the morning be continued until the exercises of greeting the Pioneer Law Makers of Iowa are over.

Carried.

Senator Harriman moved that special order, Senate file No. 9, with majority and minority reports, be postponed until to-morrow at 10:30 A. M.

Lost.

Senator Harriman then resumed the discussion of the bill. Pending his remarks the President announced that the Pioneer Law Makers were on their way to visit the Senate.

Senator Funk moved that further discussion of the special order be deferred, and that the Senator continue his remarks at 10:30 A. M. to-morrow.

Carried.

The Pioneer Law Makers of Iowa appeared, and Capt. Isaac Griffith announced that they were pleased to accept the invitation to visit the Senate.

President Parrott gave them hearty welcome in the following words:

Under our rules every ex-member of previous General Assemblies has the freedom of the floor, but we esteem it a privilege and an honor to give you, the pioneer law makers of Iowa, a heartier and a broader welcome than a mere acknowledgment of your rights under the rules.

We greet and recognize you as having had an important part in the upbuilding of our state, in aiding in transforming it from pioneer conditions into one of the great and prosperous commonwealths of our nation. We acknowledge our indebtedness to the early law makers for the wisdom displayed in the enactment of wise and beneficent laws which brought to us an intelligent, prosperous and constantly increasing population. We commend the broad policy inaugurated by your membership in laying the foundation of our grand system of state institutions, a system scarcely equaled and certainly not excelled by any in our sister states. You are entitled to grateful recognition for these timely and wise enactments.

And now, full of years, your membership is engaged in another and a still grander work—that of collecting and preserving for future generations the valuable history of the early times, of which you were a part, and which might be entirely lost or greatly lessened in value without the seal of authenticity you are able to give it.

So we bid you hearty welcome, and express the hope that you may have many more pleasant and profitable reunions and fully complete the laudable work in which you are engaged.

President Parrott then yielded the gavel to the president of the association, Col. John Scott, and conducted him to the President's Chair.

Senator Blanchard continued the welcome to the association in the following:

To the Pioneer Law Makers of Iowa:

The pleasant, though somewhat embarrassing duty has been assigned me of extending to you a hearty welcome to the Senate Chamber—pleasant because I am in full accord with the sympathetic and patriotic impulse that pervades every heart in this Chamber to extend to you the greeting which is due the venerable law makers of our state—embarrassing because I realize that others could clothe the sentiment in more fitting words.

Our work as Legislators is to modify existing laws and adapt them to the continuing changes of a still rapidly growing commonwealth, as well as to provide for new conditions resulting from the evolution of the wonderful age in which we live. It was yours to organize and build. You performed the rugged duties of pioneer life, and by the enactment of wise, just and equitable laws laid the foundations broad and deep for a great state.

You builded wiser than you knew. The mutations wrought by the intervening years have been marvelous, and can but be surprising to even you who have witnessed them.

Some of you enacted laws in the old Capitol at Iowa City when the center of population of the state was but a few miles west of the Mississippi; others of you performed your legislative duties in the old building situated just across the way, upon the site of which your patriotic countrymen have since erected a noble monument to commemorate the heroism and valor of 80,000 soldiers who fought for the flag. It was there that in addition to general laws enacted for the state, you wisely provided for the erection of this stately Capitol Building, now the pride of all our people.

You return to this fair capital city, which now contains a population of more than sixty thousand souls, and in this noble edifice you behold a Legislature engaged in enacting laws for the government of more than two millions of people.

The changed conditions are not alone manifest in the great increase in wealth and population, but also in the greater variety of subjects which require legislation. We must now provide for nearly twenty state institutions, as well as for the government of a vast number of corporations, railroads, express companies, etc., which have made their advent into the state since the pioneer law-makers created the first code of Iowa.

Venerable sirs, we feel honored by this visit, and extend to you a kindly greeting. We are profoundly grateful for the patriotic services you rendered to our state. May your stay among us be pleasant and profitable; may you return to contented and happy homes, and now we say feverently, God be with you till we meet again.

President Scott, on the part of the association, responded to the words of welcome and then called upon Col. S. A. Moore to continue the response.

Ex-Senator L. L. Ainsworth was then called on and responded.

Hon. John A. Kasson was called and responded.

President Scott then surrendered the gavel into the hands of the President of the Senate.

President Parrott called upon Senator Eaton for the closing remarks.

Senator Funk moved that the Senate do now adjourn.

Carried.

Senate adjourned.

EVENING SESSION.

Senate called to order at 8 o'clock P. M., President Parrott presiding.

A committee from the House appeared in the Senate Chamber and informed the Senate that the House was ready to receive them in joint session for the purpose of electing trustees and regents of the various state institutions, State Printer, State Binder and wardens of the penitentiaries, whereupon the Senate adjourned to meet the House in joint session.

JOINT CONVENTION.

The Sergeant-at-Arms announced the Senate in a body, who took seats on the west side, which were vacated for their use.

Lieutenant-Governor Parrott took the Chair and called the convention to order, and stated that the purpose of the meeting was the election of trustees, directors and regents of the various state institutions and State Printer and State Binder.

The roll was then ordered.

Those present were:

Messrs. Allyn of Ringgold, Bailey, Baker, Bell of Jefferson, Bell of Washington, Berry, Blanchard, Brady, Brinton, Byers of Lucas, Byers of Shelby, Carney, Carroll, Clark, Classen, Craig, Crow, Davis, Doubleday, Downey, Druet, Early, Ellison, Everall, Frazee, Frink, Gilbertson, Good, Gorrell, Griswold,

Grote, Harper, Hauger, Hazen, Healy, Hendershot, Henderson, Hinkhouse, Hinman, Huntley, Jackson, Kilburn, Klemme, Ladd, Lambert, Lauder, Loomis, Lothrop, Lowry, McAchran, McDowell, McNulty, McQuin, Manahan, Merrell, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietart, Nolan, Palmer, Parker, Penrose, Perrin, Phelps, Potter, Power, Prentis, Pusey, Putnam, Ranck, Ray, Sargent, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Trewin, Van Houten, Waterman, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Young—95.

Those absent were:

Messrs. Alexander, Allen of Van Buren, Bird, Bonson, Bowen, Brighton, Byington, Carpenter, Chapman, Cheshire, Cook, Cornwall, Dowell, Eaton, Edwards, Ellis, Ericson, Evans, Finch, Funk of Dickinson, Funk of Hardin, Garner, Garst, Gurley, Harriman, Haugen, Hipwell, Hobart, Hospers, Hotchkiss, Hunt, Hurst, Jay, Johnson of Webster, Johnston of Franklin, Junkin, Lavender, Lehfeldt, McArthur, McDona'd, Marti, Martin, Mayne, Mitchell, Morrison of Keokuk, Mullin, Perrott, Porter, Reed, Rigger, Rowen, Upton, Voelker, Weaver—55.

There being a quorum present, President Parrott announced as Teller on behalf of the Senate, Senator Byers. And the Speaker announced Mr. Ladd on behalf of the House.

Mr. Lauder offered the following:

Be it Resolved by the Senate and House of Representatives of the State of Iowa in Joint Convention Assembled: That the following named persons are hereby declared to be duly elected to the following named positions, to-wit:

N. N. Jones, of Cass county, to be warden of the penitentiary at Ft. Madison, Iowa, for the ensuing term.

P. W. Madden, of Clay county, to be warden of the penitentiary at Anamosa, Iowa, for the ensuing term.

Lafayette Young, of Polk county, for State Binder for the term commencing January 1, 1897.

F. R. Conaway, of Poweshiek county, for State Printer for the term commencing January 1, 1897.

Mr. Merrill offered the following as a substitute and moved its adoption, the yeas and nays being demanded:

Be it Resolved by the Senate and House of Representatives of the State of Iowa in Joint Convention Assembled: That the following named persons are hereby declared to be duly elected to the following named positions, to-wit:

E. E. Benton, of Clayton county, to be warden of the penitentiary at Ft. Madison, Iowa, for the ensuing term.

Thos. J. Hudson, of Clay county, to be warden of the penitentiary at Anamosa, Iowa, for the ensuing term.

M. S. Hardie, of Dubuque county, for State Binder for the term commencing January 1, 1897.

S. B. Evans, of Wapello county, for State Printer for the term commencing January 1, 1897.

On the question, "Shall the substitute pass?" the yeas were:

Messrs. Baker, Downey, Everall, Frazee, Harper, Hazen, Hinkhouse, Jackson, Lambert, Lowry, McDowell, Manahan, Merrell, Nolan, Power, Ranck, Sullivan, Wheeler, Wilson—19.

The nays were:

Messrs. Allyn of Ringgold, Bailey, Bell of Jefferson, Bell of Washington, Berry, Blanchard, Brady, Brighton, Brinton, Byers of Lucas, Byers of Shelby, Carney, Carroll, Clark, Classen, Craig, Crow, Davis, Doubleday, Early, Ellison, Frink, Gilbertson, Good, Gorrell, Griswold, Grote, Hauger, Healy, Hendershot, Henderson, Hinman, Huntley, Kilburn, Klemme, Ladd, Lauder, Loomis, Lothrop, McAchran, McNulty, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Palmer, Parker, Penrose, Perin, Phelps, Potter, Prentis, Pusey, Putnam, Ray, Reed, Sargent, Scott, Smith, Spaulding, St. John, Temple, Thompson, Tibbitts, Trewin, Van Houten, Waterman, Watters, Wells, Whelan, Whittier, Williams, Wood and Young—76.

Absent or not voting:

Messrs. Alexander, Allen of Van Buren, Bird, Bonson, Bowen, Byington, Carpenter, Chapman, Cheshire, Cook, Cornwall, Dowell, Druet, Eaton, Edwards, Ellis, Ericson, Evans, Finch, Funk of Dickinson, Funk of Hardin, Garner, Garst, Gurley, Harriman, Haugen, Hipwell, Hobart, Hospers, Hotchkiss, Hunt, Hurst, Jay, Johnson of Webster, Johnston of Franklin, Junkin, Lavender, Lehfeldt, McArthur, McClelland, McDonald, McQuin, Marti, Martin, Mayne, Mitchell, Morrison of Keokuk, Mullin, Perrott, Porter, Rigger, Rowen, Upton, Voelker, Weaver—55.

So the substitute was lost.

On the question, "Shall the resolution pass?" the yeas were:

Messrs. Allyn of Ringgold, Bailey, Bell of Jefferson, Bell of Washington, Berry, Blanchard, Brady, Brinton, Byers of Lucas, Byers of Shelby, Carney, Carpenter, Carroll, Clark, Classen, Craig, Crow, Davis, Doubleday, Druet, Early, Eaton,

Ellison, Frink, Funk of Dickinson, Gilbertson, Good, Gorrell, Griswold, Grote, Hazen, Healy, Hendershot, Henderson. Hinman, Huntley, Kilburn, Klemme, Ladd, Lauder, Loomis, Lothrop, McAchran, McNulty, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Palmer, Parker, Penrose, Perrin, Phelps, Potter, Prentis, Pusey, Putnam, Ray, Reed, Sargent, Scott, Smith. Spaulding, St. John, Temple, Thompson, Tibbitts, Trewin, Van Houten, Waterman, Watters, Wells, Whelan, Whittier, Williams, Wood, Young—79.

The nays were:

Messrs. Harper, Hinkhouse, Lowry, Ranck—4.

Absent or not voting:

Messrs. Alexander, Allen of Van Buren, Baker, Bird, Bonson, Bowen, Brighton, Byington, Chapman, Cheshire, Cook, Cornwall, Dowell, Downey, Edwards, Ellis, Ericson, Evans. Everall, Finch, Frazee, Funk of Hardin, Garner, Garst, Gurley, Harriman, Haugen, Hauger, Hipwell, Hobart, Hospers, Hotchkiss, Hunt, Hurst, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Junkin, Lambert, Lavender, Lehfelddt, McArthur, McClelland, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merrell, Mitchell, Morrison of Keokuk, Mullin, Nolan, Perrott, Porter, Power, Rikken, Rowen, Sullivan, Upton, Voelker, Weaver, Wheeler, Wilson—67

Mr. St. John offered the following:

Be it Resolved by the Senate and House of Representatives of the State of Iowa in Joint Convention Assembled, That the following named persons are hereby elected trustees, directors and regents of the various state institutions, to-wit:

TRUSTEES OF THE AGRICULTURAL COLLEGE.

Sixth District.—W. O. McElroy.....6 years
Ninth District.—L. B. Robinson.....6 years
Third District.—Josiah S. Jones.....6 years

MEMBERS OF BOARD OF REGENTS OF STATE UNIVERSITY.

Third District.—C. E. Pickett.....6 years
Tenth District.—Harvey Ingham.....6 years
Fourth District.—Alonzo Abernathy.....6 years
Eleventh District.—P. K. Holbrook.....6 years

TRUSTEES OF THE COLLEGE FOR THE BLIND AT VINTON.

James Cooney.....4 years
W. M. Sawyer.....4 years
R. A. Schroeder.....4 years

TRUSTEES OF THE HOSPITAL FOR INSANE AT CLARINDA.

W. W. Morrow.....	6 years
E. H. Hunter.....	6 years

TRUSTEES OF HOSPITAL FOR INSANE AT INDEPENDENCE.

A. T. McDonald.....	4 years
F. E. Whitley.....	4 years
John Killen.....	4 years

TRUSTEES OF THE HOSPITAL FOR INSANE AT MT. PLEASANT.

Dr. J. H. Culp.....	4 years
Dr. J. C. Barringer.....	4 years

TRUSTEES OF THE INDUSTRIAL HOME FOR THE BLIND.

Robert Colbert.....	6 years
M. J. Kelley.....	6 years

TRUSTEES OF THE INDUSTRIAL SCHOOLS.

M. H. Davis (to fill vacancy).....	4 years
Rev Henry Naumann.....	6 years

MEMBERS OF BOARD OF DIRECTORS OF NORMAL SCHOOLS.

W. A. Doron.....	6 years
George H. Mullens.....	6 years

SCHOOL FOR THE DEAF AT COUNCIL BLUFFS.

John Beatty.....	6 years
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HOME FOR SOLDIERS' ORPHANS' AND INDIGENT CHILDREN.

Mrs. M. J. Ketchum.....	6 years
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SCHOOL FOR FEEBLE MINDED AT GLENWOOD.

E. R. Moore.....	6 years
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Mr. Manahan, from Plymouth, moved that the name of P. Ferrell be substituted for that of P. K. Holbrook, member of the board of regents of the State University.

Lost.

On the question, "Shall the resolution pass?" the yeas were:

Messrs. Allyn of Ringgold, Bailey, Baker, Bell of Jefferson, Bell of Washington, Berry, Blanchard, Brinton, Byers of Lucas, Byers of Shelby, Carney, Carroll, Clark, Classen, Craig, Crow, Davis, Doubleday, Downey, Druet, Early, Eaton, Ellison, Everall, Frazee, Frink, Funk of Dickinson, Gilbertson, Good, Gorrell, Griswold, Grote, Harper, Hauger, Hazen, Healy, Hendershot, Henderson, Hinman, Huntley, Jackson, Kilburn, Klemme, Ladd, Lambert, Lauder, Loomis, Lothrop, Lowry, McDowell, McNulty, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Palmer, Parker, Penrose, Perrin, Phelps, Potter, Prentis, Pusey, Putnam, Ranck, Ray, Reed, Sargent, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts,

Trewin, Van Houten, Waterman, Watters, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Young—89.

The nays were:

None.

Absent or not voting:

Messrs. Alexander, Allen of Van Buren, Bird, Bonson, Bowen, Brady, Brighton, Byington, Carpenter, Chapman, Cheshire, Cook, Cornwall, Dowell, Edwards, Ellis, Ericson, Evans, Finch, Funk of Hardin, Garner, Garst, Gurley, Harri-
man, Haugen, Hinkhouse, Hipwell, Hobart, Hospers, Hotch-
kiss, Hunt, Hurst, Jay, Johnson of Webster, Johnston of
Franklin, Junkin, Lavender, Lehfeldt, McAchran, McArthur,
McClelland, McDonald, McQuin, Manahan, Marti, Martin,
Mayne, Merrell, Mitchell, Morrison of Keokuk, Mullin, Nolan,
Perrott, Porter, Power, Rigger, Rowen, Upton, Voelker,
Weaver, Whittier—61.

So the resolution was adopted and the within were declared duly elected.

Whereupon the following certificates were signed in the presence of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, N. N. Jones having received a majority of all the votes cast for said office, was declared duly elected warden of the Penitentiary at Ft. Madison for the ensuing term and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, P. W. Madden having received a majority of all the votes cast for said office, was declared duly elected warden of the Penitentiary at Anamosa for the ensuing term and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARBOTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Lafayette Young, having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term commencing January 1, 1897, and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARBOTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, F. R. Conaway having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term commencing January 1, 1897, and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, L. B. Robinson having received a majority of all the votes cast for said office, was declared duly elected trustee of the Agricultural College at Ames, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, W. O. McElroy having received a majority of all the votes cast for said office, was declared duly elected trustee of the Agricultural College at Ames for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Josiah S. Jones having received a majority of all the votes cast for said office, was declared duly elected trustee of the Agricultural College and Farm, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, C. E. Pickett having received a majority of all the votes cast for said office, was declared duly elected regent of the State University at Iowa City for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARBOTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Harvey Ingham having received a majority of all the votes cast for said office, was declared duly elected a member of the board of regents of the State University at Iowa City for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February A. D. 1896.

MATT PARBOTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Alonzo Abernethy having received a majority of all the votes cast for said office, was declared duly elected a member of the board of regents of the State University at Iowa City for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, P. K. Holbrook having received a majority of all the votes cast for said office, was declared duly elected regent of State University at Iowa City for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST :

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, James Cooney having received a majority of all the votes cast for said office, was declared duly elected trustee for the College for the Blind at Vinton for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, W. M. Sawyer having received a majority of all the votes cast for said office, was declared duly elected trustee of the College for the Blind at Vinton for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896 }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, R. A. Shroeder having received a majority of all the votes cast for said office, was declared duly elected trustee for the College for the Blind at Vinton, for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896 }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, W. W. Morrow having received a majority of all the votes cast for said office, was declared duly elected trustee of the Hospital for the Insane at Clarinda, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, E. H. Hunter having received a majority of all the votes cast for said office, was declared duly elected trustee for the Hospital for Insane at Clarinda, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, A. T. McDonald having received a majority of all the votes cast for said office was declared duly elected trustee of the Hospital for the Insane at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. L. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, F. E. Whitley having received a majority of all the votes cast for said office, was declared duly elected trustee of the Hospital for the Insane at Independence, for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, John Killen having received a majority of all the votes cast for said office, was declared duly elected trustee of the Hospital for Insane, at Independence, for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February, 13, 1896, }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, J. H. Culp having received a majority of all the votes cast for said office, was declared duly elected trustee of the Hospital for the Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, J. C. Barringer having received a majority of all the votes cast for said office, was declared duly elected trustee of the Hospital for the Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Robert Colbert having received a majority of all the votes cast for said office, was declared duly elected trustee of the Industrial Home for the Blind at Knoxville for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, G. M. Miller having received a majority of all the votes cast for said office, was declared duly elected trustee of the Industrial Home for the Blind at Knoxville for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, M. J. Kelly having received a majority of all the votes cast for said office, was declared duly elected trustee of the Industrial Home for Blind at Knoxville for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARBOTT,
President of the Senate,
H. W. BYERS,

Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, M. H. Davis having received a majority of all the votes cast for said office, was declared duly elected trustee for the Industrial School at Mitchellville for the term of four years (to fill vacancy) from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARBOTT,
President of the Senate.
H. W. BYERS,

Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Rev. Henry Naumann, having received a majority of all the votes cast for said office, was declared duly elected trustee of the Industrial Schools at Eldora and Mitchellville for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, W. A. Doran having received a majority of all the votes cast for said office, was declared duly elected trustee of the State Normal School at Cedar Falls, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

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HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Geo. H. Mullens having received a majority of all the votes cast for said office, was declared duly elected member of the board of directors of the State Normal School at Cedar Falls for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, John Beatie, having received a majority of all the votes cast for said office, was declared duly elected trustee of the Institution for the Deaf and Dumb at Council Bluffs for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-Sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers of the various state institutions, Mrs. M. J. Ketchum having received a majority of all the votes cast for said office, was declared duly elected trustee of the Home for the Soldiers' Orphans and Indigent Children at Davenport for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D., 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES IOWA, February 13, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in joint convention, on Thursday, the 13th day of February, A. D. 1896, for the purpose of electing the officers for the various state institutions, E. R. Moore having received a majority of all the votes cast for said office, was declared duly elected trustee for the Institution for Feeble Minded at Glenwood, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of February, A. D. 1896.

MATT PARROTT,
President of the Senate.

H. W. BYERS,
Speaker of the House of Representatives.

ATTEST:

H. L. BYERS,
Teller of the Senate.

W. G. LADD,
Teller of the House of Representatives.

Mr. St. John offered the following resolution:

Resolved, That the Clerk of this Joint Convention be instructed to wait upon the Governor and present the credentials of the newly elected officers of the several state institutions, the State Printer and the State Binder.

Adopted.

The Journal of the Joint Convention was then read, and on motion the same was approved.

On motion of Mr. Miller, the Joint Convention was dissolved.

Senate re-convened.

Senator Byers moved that the Senate do now adjourn.

Senate adjourned.

SENATE CHAMBER,
DES MOINES Iowa, Friday, February 14, 1895. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Parrott.

Prayer by the Rev. C. H. Stearns, Highland Church o Christ, Des Moines.

PETITIONS AND MEMORIALS.

Senator Craig presented petition of G. W. Taylor and others, relating to licensing plumbers.

Referred to Committee on Public Health.

Senator Lothrop presented petition of V. B. Knott and others on same subject.

Referred to Committee on Public Health.

Senator Lothrop presented petition of Daniel Dinnan and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Hospers presented petition of G. H. Ireland and others, relative to the control of express companies.

Referred to Committee on Railways.

Senator Pusey presented petition of L. A. Haddock and 134 others on the same subject.

Referred to Committee on Railways.

Senator Ranck presented petition of Kirkwood Post No. 8, G. A. R., relative to soldiers' monument.

Referred to Committee on Military.

Senator Eaton presented petition of Burnside Post No. 56, Shenandoah, Iowa, relative to management and control of Iowa Soldiers' Home, and asked to have it read.

Referred to Committee on Military.

Senator Garst presented petition of H. J. Simpson Post, relative to Soldiers' Home.

Referred to Committee on Military.

Senator Palmer presented memorial of Joseph Chana and others, relative to seining.

Referred to Committee on Fish and Game.

Senator Hobart presented petition of A. J. Scott and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Alexander presented petition of W. M. Moore and others on same subject.

Referred to Committee on Judiciary.

Senator Ellis presented three petitions of Chas. Anderson J. P. McDonald, D. S. Balch and others on same subject.

Referred to Committee on Judiciary.

Senator Palmer asked that Senator Riggen be excused.

INTRODUCTION OF BILLS.

By Senator Bell, Senate file No. 267, a bill for an act to legalize the actions of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895.

Read first and second time and referred to Committee on Judiciary.

By Senator Byers, Senate file No. 268, a bill for an act to amend section 1800 of the Code of Iowa, as amended by chapter 139 of the laws of the Eighteenth General Assembly of the State of Iowa as amended by chapter 38 of the Twenty-fifth General Assembly of the State of Iowa.

Read first and second time and referred to Committee on Schools.

By Senator Byers, Senate file No. 269, a bill for an act to make an appropriation for the better equipment of and that the State of Iowa may be satisfactorily represented and more advantageously advertised by the Iowa State Band.

Read first and second time and referred to Committee on Appropriations.

By Senator Druet, Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and to legalize the ordinances passed by said incorporated town.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 271, a bill for an act to repeal section 3793, Code of Iowa of 1873, and to enact a substitute therefor, relating to compensation of county treasurers.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Senator Ellis, Senate file No. 272, a bill for an act to amend section 3721, Code of 1873, in respect to taking depositions.

Read first and second time and referred to Committee on Judiciary.

By Senator Ellison, Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4753 of the Code of 1873, as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to salaries of certain officers.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Senator Fulk, Senate file No. 274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers.

Read first and second time and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 275, a bill for an act to prevent the placing of insurance by outside agents outside of the state, and providing penalties therefor.

Read first and second time and referred to Committee on Insurance.

By Senator Garst, Senate file No. 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this state by insurance companies, associations, partnership, individual or individuals without their having complied with the insurance laws of the state.

Read first and second time and referred to Committee on Insurance.

By Senator Pusey, Senate file No. 277, a bill for an act making appropriation for the Iowa School for the Deaf at Council Bluffs, Iowa.

Read first and second time and referred to Committee on Appropriations.

By Senator Waterman, Senate file No. 278, a bill for an act to legalize certain warrants on the general fund and certain funding and refunding bonds issued by the city of Ottumwa, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Berry, Senate file No. 279, a bill for an act to amend section 1132 of the Code of 1873.

Read first and second time and referred to Committee on Judiciary.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 118, a bill for an act to amend section 4335 of McClain's Code, relative to redemption from sheriff's sale.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

JOINT RESOLUTION NO. 11.

WHEREAS, The State of Iowa has undertaken to furnish a home at Marshalltown, Iowa, for dependent mothers and widows of deceased soldiers, and it having come to the knowledge of the General Assembly that Caroline Croker-Robinson, a sister of Gen. M. M. Crocker, one of Iowa's most gallant officers, has, through misfortune and ill-health in her old age and decrepitude been reduced to want; be it

Resolved by the General Assembly of Iowa, That the commissioners of the Iowa Soldiers' Home be authorized to admit the said Caroline Crocker-Robinson to membership in the Iowa Soldiers' Home, waiving only the rules of eligibility to membership in the home in this case.

JAMES D. ROWEN,
Chief Clerk.

Senator Alexander offered the following resolution and moved its adoption:

WHEREAS, In the all wise providence of God, the Hon. F. McClelland, a member of the Twenty-sixth General Assembly, died at his home in the city of Cedar Rapids, Thursday, February 13, 1896; therefore, be it

Resolved, by the Senate of the Twenty-sixth General Assembly, That we extend to the bereaved family our sincere sympathy and deep sorrow for their great loss of husband and father, and that a copy of this resolution be spread upon the records of the Senate and a copy sent to the family of the deceased.

Adopted.

Senator Carroll moved that 200 additional copies of Senate file No. 157, be ordered printed.

The President announced that the hour for consideration of special order had arrived and that Senator Harriman had the floor.

On the question, "Shall the minority report, as a substitute for the majority report on Senate file No. 9, be adopted?" the yeas were:

Senators Alexander, Allyn, Bell, Byers, Carney, Eaton, Ericson, Funk, Gorrell, Harriman, Henderson, Hobart, Hospers, Junkin, Kilburn, Lothrop, Mitchell, Penrose, Phelps, Rowen, Sargent, Waterman, Young—23.

The nays were:

Senators Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Downey, Druet, Ellis, Ellison, Garst, Gilbertson, Harper, Healy, Hipwell, Hurst, Palmer, Pusey, Trewin, Upton—20.

Absent or not voting:

Senators Craig, Everall, Hotchkiss, Lehfeldt, Perrin, Ranck, Rikken—7.

So the minority report was adopted.

Senator Byers moved to reconsider the vote by which the minority report was substituted for the majority report.

On the question, "Shall the vote be reconsidered, the yeas were:

Senators Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Everall, Garst, Gilbertson, Harper, Healey, Hipwell, Hotchkiss, Hurst, Palmer, Penrose, Perrin, Pusey, Ranck, Trewin, Upton—27.

The nays were:

Senators Alexander, Allyn, Bell, Carney, Eaton, Ericson, Funk, Gorrell, Harriman, Henderson, Hobart, Hospers, Junkin, Kilburn, Lothrop, Mitchell, Phelps, Rowen, Sargent, Waterman, Young—21:

Absent or not voting:

Senators Lehfeldt and Rikken—2.

So the motion to reconsider prevailed,

On the reconsideration of the original motion, "Shall the minority report as a substitute for the majority report on Senate file No. 9 be adopted," the yeas were:

Senators Alexander, Allyn, Bell, Byers, Carney, Eaton, Ericson, Funk, Gorrell, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Penrose, Perrin, Phelps, Rowen, Sargent, Waterman, Young—24.

The nays were:

Senators Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Everall, Garst, Gilbertson, Harper, Healy, Hipwell, Hurst, Junkin, Palmer, Pusey, Ranck, Trewin, Upton—24.

Absent or not voting:

Senators Lohfeldt and Rigger—2.

The President of the Senate voted aye, and the minority report was adopted.

Senator Lothrop offered the following amendment:

I move to amend section 1 by adding thereto at the end of the fifth line thereof the words, "Provided, that in case of cohabitation by a person of not over 18 years of age with a female not under 14 years of age, the same must be shown to be by force and against her will, or no conviction shall be found."

Senator Carpenter offered the following substitute for the amendment:

I move as a substitute for the amendment offered, the adoption of the following after the enacting clause of Senate file No. 9:

SECTION 1. That section No. 3861 of the Code of 1873, as amended by chapter 114 of the Twenty-first General Assembly, be amended to read as follows: "If any person ravish and carnally know any female by force and against her will or carnally know and abuse any female child under the age of 16 years, he shall be punished by imprisonment for life in the penitentiary or any time."

Senator Funk moved that when the Senate adjourn it be until to-morrow at 9 o'clock A. M.

Senator Carney moved to amend by making it 2 P. M. to-day.

A division was called and the amendment lost.

The original motion prevailed.

By consent Senator Carpenter was permitted to withdraw his substitute for the purpose of correction.

Senator Garst moved that the session be extended thirty minutes.

On this a division was called.

The motion prevailed.

Senator Carpenter then submitted his substitute as corrected, which was as follows:

I move as a substitute for the amendment offered, the adoption of the following after the enacting clause of Senate file No. 9:

SECTION 1. That section No. 3861 of the Code of 1873, as amended by chapter 114 of the Twenty-first General Assembly, be amended to read as follows: "If any person ravish and carnally know any female by force and against her will, or carnally know and abuse any female child under the age of 16 years, he shall be punished by imprisonment for life in the penitentiary or any time or a fine of \$1,000 and imprisonment in the county jail one year."

Senator Berry moved to re-commit the entire matter to the Committee on Judiciary.

Senator Funk moved to amend by adding, "with instructions to report at the session to-morrow."

Amendment adopted.

On the motion the roll was called.

On the question, "Shall the motion prevail?" the yeas were:

Senators Barry, Blanchard, Bonson, Byers, Carroll, Cheshire, Craig, Downey, Druet, Ellis Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hurst, Junkin, Lothrop, Palmer, Peirce, Perrin, Pusey, Ranck, Sargeant, Trewin, Upton, Werman—33.

The nays were:

Senators Alexander, Allyn, Bell, Carney, Carpenter, Eaton, Gorrell, Hobart, Hotchkiss, Kilburn, Mitchell, Rowen, Young—13.

Absent or not voting:

Senators Hospers, Lebfeldt, Phelps and Riggen—4.

So the motion prevailed.

Senators Bell and Upton were excused until Tuesday morning.

Senator Carpenter was excused until Monday morning.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 146, a bill for an act to regulate primary elections and to punish frauds therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a similar bill has already been reported for passage.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate file No. 180, a bill for an act extending the terms of certain county officers, provide for electing the same and fixing the terms thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 18, a bill for an act changing the number of directors from six to five in certain independent districts, beg leave to report that they

have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out the figures "1896" in the ninth line of section 2 and insert the figures "1897"; and strike out section 4, and that the bill do pass as amended.

J. H. TREWIN,

Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 3, memorial and joint resolution, relative to improving the navigation of the Mississippi river.

G. S. GILBERTSON,

Chairman of the Senate Committee.

W. E. HAUGER,

Chairman of the House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 6, an act appropriating the sum of five dollars per day for each session of the House and Senate for the payment of clergymen who officiate as chaplains.

G. S. GILBERTSON,

Chairman of the Senate Committee.

W. E. HAUGER,

Chairman of the House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 4, an act relative to furnishing suitable stationary for the use of the members of the Senate and House.

G. S. GILBERTSON,

Chairman of the Senate Committee.

W. E. HAUGER,

Chairman of the House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 10, an act relative to the Trans-Mississippi Exposition to be held at Omaha, Nebraska, in the year 1898.

G. S. GILBERTSON,

Chairman of the Senate Committee.

W. E. HAUGER,

Chairman of the House Committee.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day, filed with the Governor, for his approval, Senate file No. 39, a bill for an act to release the Asylum for Destitute and Orphaned Children, at Andrew, Iowa, from its indebtedness to the state.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

The Journals of Wednesday and Thursday were read, corrected and approved.

Senator Henderson moved that the Senate do now adjourn.
Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, February 15, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. W. M. Todd, pastor of the M. E. Church, Highland Park, Des Moines.

Senator Lothrop asked that Senator Gorrell be excused.

• PETITIONS AND MEMORIALS.

Senator Lothrop presented petition of C. D. Marsh and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Garst presented petition of G. G. Perrott and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Carney presented petition of F. S. Newton and others in relation to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Harper presented petitions of J. S. Carter and others, and C. O. Marsh and others on same subject.

Referred to Committee on Judiciary.

Senator Carney presented thirty-eight petitions of Ransom Post, No. 379; Robert Allen Post, No. 455, Riverside; Jeff C. Davis Post, No. 44, Carroll; Decatur Post, Decatur; Myers Post, No. 39, Greenfield; John Braden Post, No. 242, Parkersburg; Guttenburg Post, No. 146; J. B. Browney Post, Denmark; James Cross Post, No. 292, Marengo; Jacob Miller Post, No. 484, Biscoe; E. C. Buchner Post, No. 164, Eldora; A. P. Mastore Post, No. 277, New Hampton; John Allen Post, No. 263, Tabor; John A. Dix Post, No. 408, Walnut; McMillen Post, No. 463, Baxter; Monona Post, No. 495, Monona; Marshall Post, No. 43, Redfield; W. M. Miller Post, No. 261, Des Moines; Washington Post, Adair; Pomeroy Post, No. 480, Pomeroy; Shiloh Post, No. 126, Peoria; Henry Keating Post, No. 211, Afton; J. D. Craven Post, No. 198, Macksburgh; George S.

Comstock Post, No. 228, Mechanicsville; Daniel Hill Post, No. 372, Stratford; I. Dodder Post, No. 446, Wapello; C. H. Packard Post, No. 307, Renwick; Frank A. Brush Post, No. 77, Osage; Dick Post, No. 472, Grant; Van Meter Post, No. 268, Van Horn; J. R. Sexton Post, No. 425, Carlisle; Henry Dix Post, No. 371, McGregor; William Carbee Post, No. 270, Springville; Aumett Post, No. 124, Spencer; J. Filmer Post, No. 347, Madrid; Henry Damon Post, No. 473, Shannon City; Sam Rice Post, No. 6, Atlantic; J. Nanmar Post, No. 341, Blairstown, G. A. R. posts, protesting against pension rules of the Soldiers' Home.

Referred to Committee on Military.

Senator Kilburn presented petition of L. Daniels and others in relation to express companies.

Referred to Committee on Railways.

Senator Eaton presented petition of I. A. Wheeler and others, relative to express companies.

Referred to Committee on Railways.

Senator Kilburn presented petition of W. J. Cook and others on same subject.

Referred to Committee on Railways.

Lieutenant-Governor Parrott presented memorial of Crocker and Kinsman Posts, G. A. R., in relation to the observance of Washington's birthday by the public schools, which was read.

Lieutenant-Governor Parrott presented memorial of Pioneer legislators in relation to memorial building.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Trewin presented memorial of State Teachers' association, relative to township district system.

Referred to Committee on Schools.

Senator Berry presented petition of W. A. Bryant and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Blanchard presented petition of W. R. Lacey and others, in relation to Bonaparte dam.

Referred to Committee on Fish and Game.

Senator Sargent presented petition of L. O. Howland and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Sargent presented resolution from the Christian Citizenship League of the city of Waterloo, in relation to resubmission of the prohibitory amendment and against the manufacture and sale of liquors in the state.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Craig (by request), Senate file No. 280, a bill for an act to amend section 1160 of the Code of 1873, as amended by chapter 103 of the acts of the Sixteenth General Assembly; chapter 104 of the Seventeenth General Assembly; chapter 11 of the Twentieth General Assembly and chapter 93 of the Twenty-second General Assembly.

Read first and second time and referred to Committee on Insurance.

By Senator Harriman, Senate file No. 281, a bill for an act for the extirpation of such weeds as are most injurious to the interests of the farming communities of the State of Iowa.

Read first and second time and referred to Committee on Agriculture.

By Senator Perrin, Senate file No. 282, a bill for an act providing for Farmer's Institute and the manner of maintaining and conducting the same, and to repeal chapter 58 of the acts of the Twenty-fourth General Assembly.

Read first and second time and referred to Committee on Agriculture.

By Senator Sargent (by request), Senate file No. 283, a bill for an act to permit the replatting of private cemeteries by the owners thereof.

Read first and second time and referred to Committee on Cities and Towns.

Senator Blanchard asked that Senator Pusey be excused until Tuesday.

Senator Eaton asked that Senator Phelps be excused until Tuesday.

Senator Ellis asked that Senator Hurst be excused.

Senators Carpenter and Rikken were excused.

HOUSE MESSAGES.

Senate file No. 76, a bill for an act to legalize the ordinances of Glidden, Carroll county, Iowa, which was passed by the House, was passed on file.

House concurrent resolution, in regard to mileage of visiting committees, was adopted.

House file No. 161, a bill for an act to apply to cities of the first class, relating to indebtedness of cities and towns, was read first and second time and referred to Committee on Cities and Towns.

House file No. 191, a bill for an act to authorize the executive council to sell and convey a part of the lands purchased by the state for the use of the Iowa State Agricultural society, was read first and second time and referred to Committee on Agriculture.

House file No. 72, a bill for an act to provide for the publication of the annual proceedings of the Iowa State Dairy association, was read first and second time and referred to Committee on Agriculture.

House file No. 39, a bill for an act repealing section 3959 of the Code of Iowa and enacting a substitute therefor, relative to breaking jail, was read first and second time and referred to Committee on Judiciary.

House file No. 135, a bill for an act to amend sections 1766 and 1767 of the Code of Iowa in relation to teachers' certificates.

Read first and second time and referred to Committee on Schools.

House file No. 118, a bill for an act to amend section 3106 of the Code, relative to redemption from sheriff's sale.

Read first and second time and referred to Committee on Judiciary.

House Joint Resolution No. 11, to authorize the commissioners of the Iowa Soldiers' Home to admit Caroline Crocker Robinson to the Home as a member.

Read first and second time and referred to Committee on Military.

REPORT OF STANDING COMMITTEES.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 184, a bill for an act to amend section 3, chapter 105 of the acts of the Twenty-second General Assembly by fixing the compensation of the members of the soldiers' relief commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be

amended as follows, to-wit: Insert after the word "rendered" in the third line the words "such sum as the board of supervisors may allow not to exceed"; also strike out the words "said soldiers" in the last line and insert the word "county," and when so amended the bill do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 65, a bill for an act to legalize all special elections held or attempted to have been held since February 16, 1894, in any city of Iowa of over 5,000 inhabitants to vote taxes not to exceed five per centum on the assessed value thereof, to construct or to aid in the construction of a highway bridge or a combination bridge, suitable for use as a highway and for railway purposes across any navigable boundary river of Iowa, including the levy of said taxes, and all acts leading up to the same or done thereunder, beg leave to report that they have had the same under consideration and the majory have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 278, a bill for an act to legalize certain warrants on the general fund and certain funding and refunding bonds issued by the city of Ottumwa, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 57, a bill for an act to legalize the proceedings of the board of supervisors of Wright county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Ellis asked leave for further time to consider Senate file No. 9, which was referred to the Judiciary Committee.

Senator Trewin moved that time be extended until Tuesday morning.

Carried.

Senator Ellison, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 216, a bill for an act to amend section 1922 of the Code and for the protection of married women, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the following substitute for said bill be adopted, and when so adopted, that the same do pass:

SUBSTITUTE FOR SENATE FILE NO. 216.

A bill for an act in relation to the encumbrance of exempt personal property.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That no encumbrance of exempt personal property shall be of any validity unless the same be evidenced by written instrument, and unless the husband and wife, if the owner is married, concur in and sign such instrument.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

F. O. ELLISON,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 58, a bill for an act to authorize the townships of any county in the state of Iowa to build public halls for elections and public meetings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended to read as follows, and that it do pass as amended:

A BILL

For an act to authorize townships to vote a tax to build public halls in which to hold elections and public meetings.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. The trustees, on a petition of a majority of the resident freeholders of any civil township, shall submit the question of building a public hall to the electors thereof by posting notices of such election in four conspicuous places in the township thirty days before election, and the vote shall be: "Shall a tax be levied for the erection of a public hall?" "Yes." "No."

SEC. 2. If a majority of the electors shall vote for a public hall the trustees shall certify such fact to the board of supervisors, and they shall thereupon levy not to exceed three mills on the dollar on the taxable property of the township, and when such tax is collected by the treasurer it shall be paid to the township clerk.

SEC. 3. Any public hall built under the provisions of this chapter shall be located by the township trustees so as to accommodate the greatest number of the resident taxpayers.

SEC. 4. The township trustees shall have charge of the building of such hall; shall receive bids and shall let the building of the same to the lowest responsible bidder, and the township clerk shall pay out the funds collected only on the order of the trustees of said township.

SEC. 5. The township clerk, under the direction of the trustees, shall be the custodian of the building, and the use thereof shall be permitted to all the citizens of the township for all lawful purposes; and for the purpose of this act the township clerk is hereby clothed with all the power and duties of a constable of the township, to maintain order within and about the premises, protect the property and enforce orders of the township trustees with respect thereto. A copy of this section shall be at all times kept posted in a conspicuous place in said hall.

SEC. 6. That when a tax is voted as provided in this act, the township clerk shall, before drawing any of said tax from the treasury of the county, execute a bond with penalty double the amount of said tax, which bond shall be approved by the board of supervisors.

SEC. 7. The trustees of any township where such building has been erected are hereby authorized and empowered to certify to the board of supervisors that a tax of not exceeding one-half mill on the dollar of the taxable property of the township should be levied to be used in keeping such building in repair, to furnish same with necessary furniture and provide for the taking care thereof. When such certificate is filed in the auditor's office the board of supervisors shall levy such tax.

The Committee also recommend that House file No. 58, as amended, be substituted for Senate file No. 11 as amended, and which is now on the Senate Calendar.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Mitchell moved the adoption of the report of Committee on Rules, made February 8th.

Adopted.

BILLS ON THIRD READING.

Senator Trewin asked that Senate file No. 64 be passed, but hold its place on the Calendar.

Senator Carney presented the following resolution:

Resolved, That chairmen of standing committees, in reporting amendments to Code Revision bills, add the number of the bill to the title printed over the proposed amendments.

Adopted.

BILLS ON SECOND READING.

Senator Mitchell moved to take up bills for indefinite postponement.

Senate file No. 151, a bill for an act to prohibit the assignment of claims for witness fees, with report of committee

recommending that the bill be indefinitely postponed, was taken up, considered and the report of the committee adopted.

Senator Lothrop moved that Senate files Nos. 152 and 153 be passed.

Carried.

Senate file No. 179, a bill for an act to amend section 798, McClain's Code, and to provide for the duties of city marshal to be performed by other city officers, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 34, a bill for an act to amend section 4, chapter 47, acts of the Sixteenth General Assembly, and also section 5, chapter 169 of the acts of the Seventh General Assembly, relative to taxation of agricultural and horticultural lands within incorporated cities and towns, with report of committee recommending that the same be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 180, a bill for an act extending the terms of certain county officers, with report of committee recommending that the bill be indefinitely postponed, was taken up.

Senator Lothrop asked that the consideration of the report be postponed.

So ordered.

Senate file No. 146, a bill for an act to regulate primary elections, with report of committee recommending that the bill be indefinitely postponed, for the reason that a similar bill has already been reported for passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Young, House file No. 109, a bill for an act to legalize the incorporation of the town of Colesburg, with report of committee recommending certain amendments and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Young moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hospers, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—35.

The nays were:

None.

Absent or not voting:

Senators Bell, Carpenter, Cheshire, Gilbertson, Gorrell, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Lehfeldt, Phelps, Pusey, Rigger, Upton—15.

So the bill passed.

Senator Harper amended title by adding, "and official acts by its officers."

On motion of Senator Henderson, House file No. 101 was continued.

House file No. 51, a bill for an act to legalize the incorporation of the town of Iona, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Perrin moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Byers, Carney, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hobart, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—32.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Bonson, Carpenter, Cheshire, Gilbertson, Gorrell, Healy, Hipwell, Hospers, Hotchkiss, Hurst, Lehfeldt, Penrose, Phelps, Pusey, Rigger, Upton—18.

So the bill passed and the title was agreed to.

House file No. 96, a bill for an act to legalize the incorporation of the town of Gray, with report of committee recommending certain amendments, and when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison,

Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hobart, Hospers, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Carpenter, Cheshire, Gilbertson, Gorrell, Healy, Hipwell, Hotchkiss, Hurst, Lehfeldt, Penrose, Phelps, Pusey, Rigger, Upton—16.

So the bill passed and the title was agreed to.

On motion of Senator Rowen, House file No. 166, a bill for an act to legalize the incorporation of the town of Whitten, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered and the report of the committee adopted.

Senator Rowen moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Garst, Harper, Harriman, Henderson, Hobart, Hospers, Lothrop, Mitchell, Palmer, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Carpenter, Cheshire, Funk, Gilbertson, Gorrell, Healey, Hipwell, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Penrose, Phelps, Pusey, Rigger, Upton—19.

So the bill passed and the title was agreed to.

House file No. 73, a bill for an act to legalize the incorporation of the town of Minburn, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Byers moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

By unanimous consent, Senator Harper moved to amend by striking out "Be it resolved, etc."

Adopted.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Trewin, Young—34.

The nays were none:

None.

Absent or not voting:

Senators Allyn, Bell, Carpenter, Cheshire, Gilbertson, Gorrell, Healy, Hipwell, Hurst, Junkin, Lehfeldt, Phelps, Pusey, Rigger, Upton, Waterman—16.

So the bill passed and the title was agreed to.

House file No. 56, a bill for an act to legalize the incorporation of the town of Leland, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senator Alexander, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Trewin, Young—35.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Berry, Carpenter, Gilbertson, Gorrell, Healy, Hipwell, Hurst, Lehfeldt, Phelps, Pusey, Rigger, Upton, Waterman—15.

So the bill passed and the title was agreed to.

On motion of Senator Blanchard, Senate file No. 111, a bill for an act to authorize the state or any county to receive gifts, with report of committee recommending a substitute, and that the substitute be adopted and the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Blanchard moved the adoption of the substitute.

Substitute adopted.

Substitute read first and second time.

Senator Blanchard moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bell, Carpenter, Gilbertson, Gorrell, Healy, Hipwell, Hurst, Kilburn, Lehfelddt, Phelps, Pusey, Rigger, Upton—13.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 181, a bill for an act to amend chapter 7, acts of the Twentieth General Assembly, relating to appointment of city marshals, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—38.

The nays were:

None.

Absent or not voting:

Senators Bell, Carpenter, Gilbertson, Gorrell, Healy, Hipwell, Hurst, Lehfelddt, Phelps, Pusey, Rigger, Upton—12.

So the bill passed and the title was agreed to.

On motion of Senator Cheshire, Senate file No. 113, a bill for an act to amend sections 2 and 4, chapter 41 of the acts of

the Twenty-fifth General Assembly, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Eaton, Ellison, Ericson, Everall, Funk, Garst, Harper, Harriman, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Trewin, Waterman, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bell, Carpenter, Druit, Ellis, Gilbertson, Gorrell, Healy, Hipwell, Hobart, Hurst, Lehfelddt, Mitchell, Phelps, Pusey, Rigger, Upton—16.

So the bill passed.

Senator Trewin moved that the title to Senate file No. 113 be amended by adding thereto the following: "In relation to public libraries."

Carried.

Senator Blanchard moved that when the Senate adjourned it shall be until 11 A. M. Monday.

Carried.

On motion of Senator Druet, Senate file No. 66, a bill for an act to prevent blindness and the cure of infants, and providing penalties thereof, with report of committee recommending certain amendments, and when so amended that the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Trewin moved to insert after the word "nurse," in the third line of section 1, the words "or other person."

Adopted.

Senator Lothrop moved that the consideration of the bill be postponed until Monday.

Senator Trewin amended by making the bill a special order for Wednesday at 10:30 A. M.

Amendment adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, Iowa, February, 15, 1896.

MR. PRESIDENT—I am instructed by the Governor to inform the honorable the Senate that he has approved, signed and caused to be delivered to the Secretary of State sundry bills, as follows:

Senate file No. 44, an act granting consent to the purchase by the United States of certain lands and jurisdiction over the same.

Senate file No. 4, an act for the better protection of fish.

Senate file No. 39, an act to relieve the Asylum for the Destitute and Orphaned Children at Andrew from its indebtedness to the state.

Senate file No. 6, an act tendering to the United States jurisdiction over certain Indians residing in Iowa and over their lands, and the privilege of purchasing lands in Tama county for Indian school purposes.

Senate file No. 112, an act legalizing the proceedings of the board of supervisors of Louisa county, relative to stock running at large.

Also Senate Joint Resolutions Nos. 1, 3 and 5.

WM. H. FLEMING,
Private Secretary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to herewith return to your honorable body Senate file No. 103, a bill for an act to codify the laws in relation to election, terms of office, and compensation of regents and trustees of state institutions.

JAMES D. ROWEN,
Chief Clerk.

President Parrott announced as a Committee on Mileage for Visiting Committees:

Senators Carroll and Byers.

Senator Blanchard moved that the time for adjournment be extended five minutes.

Carried.

Senator Carney moved that the vote on Senate file No. 103, which passed the Senate, be messaged to the House and recalled, be reconsidered.

Carried.

Senator Carney moved that the bill be re-committed to the Election Committee.

So ordered.

The Journal of Friday was read, corrected and approved.

Senator Blanchard moved that a committee of two be appointed to accompany the committee from the House to attend the funeral of the late Representative McClelland.

Carried.

President Parrott announced as such committee Senators Alexander and Sargent.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, February 17, 1896. }

Senate met in regular session at 11 o'clock, President Parrott presiding.

Prayer was offered by Rev. R. D. Turner, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Hospers presented petition of A. L. Gillen and others in relation to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Carney presented remonstrance of Albert Godley and others against the manufactures bill.

Referred to Committee on Suppression of Intemperance.

Senator Ranck presented petition of A. E. Ballard and others in relation to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Hotchkiss presented petition of William Hutt and others on same subject.

Referred to Committee on Judiciary.

Senator Eaton presented petition of A. L. Applegate and others, asking the regulation of insurance companies.

Referred to Committee on Railways.

Senator Eaton presented petition of M. J. Gardiner and others, in regard to building and loan associations.

Referred to Committee on Building and Loan.

Senator Garst presented memorial of Jeff. C. Davis Post, G. A. R., asking appropriation for Soldiers' Home.

Referred to Committee on Appropriations.

Senator Junkin presented petition of J. E. Hyde and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Rowen presented petition of E. A. Rothrock and others in regard to regulation of express companies.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Bonson, Senate file No. 284, a bill for an act releasing and granting to the city of Dubuque title to certain lands.

Read first and second time and referred to Committee on Judiciary.

By Senator Carpenter, Senate file No. 285, a bill for an act to amend chapter 34 of the acts of the Twenty-third General Assembly, relating to the protection of fish.

Read first and second time and referred to Committee on Fish and Game.

By Senator Carroll (by request), Senate file No. 286, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, regulating the sale of petroleum and its products.

Read first and second time and referred to Committee on Public Health.

By Senator Craig, Senate file No. 287, a bill for an act to amend section 2529 of the Code of 1873, in relation to the limitation of actions.

Read first and second time and referred to Committee on Judiciary.

By Senator Everall, Senate file No. 288, a bill for an act limiting the liabilities of lessees in certain cases.

Read first and second time and referred to Committee on Judiciary.

By Senator Carpenter, Senate file No. 289, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the union, and for the establishment and construction of a memorial, historical and art building, and to appropriate money therefor.

Read first and second time and referred to Committee on Appropriations.

By Senator Upton, Senate file No. 290, a bill to amend section 8179 of the Code of 1873, relating to transcripts on appeal to the supreme court.

Read first and second time and referred to Committee on Judiciary.

Senator Harper asked that Senator Lothrop be excused indefinitely, he having been called away on account of death in the family.

Senator Penrose asked that Senator Young be excused.

Senator Funk asked that Senator Healy be excused.

REPORTS OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and to legalize the ordinances passed by said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the title be amended by striking out the words “to legalize the,” as they occur the second time in the same, and when so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at close of section 1 the following: “*Provided*, however, that nothing in this act shall in any manner affect any pending litigation,” and when so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 267, a bill for an act to legalize the action of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at close of section 1 the following: “*Provided*, however, that nothing in this act shall affect in any manner any pending litigation,” and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 253, a bill for an act to legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at the close of section 2 the

lowing: "*Provided*, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporated town of LeGrand, Marshall county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out of second paragraph of the preamble all after the word "ordinances;" also by adding the following at close of section 1: "*Provided*, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at close of section 2 the following: "*Provided*, however, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Semi-Centennial and Memorial Celebration, submitted the following report:

MR. PRESIDENT—Your Committee on Semi-Centennial and Memorial Celebration, to whom was referred the matter of celebrating the semi-centennial of the State of Iowa and the erection of a memorial hall, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the Union, and for the construction of a memorial, historical and art building, and to appropriate therefor, with the recommendation that the same do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate file No. 24, a bill for an act requiring that

juvenile and adult prisoners be kept apart, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted in lieu thereof:

SUBSTITUTE FOR SENATE FILE NO. 24.

A bill for an act requiring that Juvenile Prisoners be kept apart.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. It shall be the duty of wardens of penitentiaries to keep prisoners under eighteen years of age separate from those above said age when said prisoners are not engaged in work and under the personal supervision of the warden or those having them in charge; *provided*, that any prisoner under said age of eighteen who is likely to, or does, exercise an immoral influence over those with whom he is associated, may, at the discretion of the warden, be placed in any apartment provided for prisoners above said age.

SEC. 2. It shall be the duty of sheriffs, city marshals and chiefs of police to keep prisoners in their charge under eighteen years of age separate from those above said age when not under the personal supervision of the sheriff or custodian of said prisoners; *provided*, suitable buildings or jails are now or may hereafter be provided for that purpose; and *provided further*, that the sheriff, city marshal or chief of police, may at his discretion place any prisoner under said age who is likely to or does exercise an immoral influence over those with whom he is associated, in the apartments provided for prisoners above said age.

SEC. 3. The separation of prisoners provided for in sections 1 and 2 of this act, shall be such as to prevent personal communication between said two classes of prisoners.

SEC. 4. Any warden, sheriff, city marshal or chief of police who shall neglect, fail or refuse to discharge and perform the duty imposed upon him by this act, without just cause or excuse, may be suspended and removed from office as provided by law.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Carpenter moved that Senate file No. 289 be made a special order for March 2d, at 11 A. M.

Carried.

Senator Phelps moved that 200 extra copies of Senate file No. 7, with amendments be printed.

Carried.

Senator Carpenter moved to reconsider the vote by which Senate file No. 289 was made a special order for March 2d.

Carried.

Senator Carpenter moved that the bill be referred to Committee on Appropriations

Carried.

BILLS ON THIRD READING.

On motion of Senator Carpenter, Senate file No. 64, a bill for an act to revise, amend and codify the statutes in relation to the state and legislative departments, with report of committee recommending amendments, and when the same is amended that the bill do pass, was taken up.

Senator Carpenter moved that the rule be suspended, and the bill be engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

Senator Carpenter on a question having been raised as to the constitutionality of title moved that the vote on Senate file No. 64, ordering to a third reading be reconsidered.

Carried.

Senator Cheshire moved that the bill be recommitted to the Code Revision Committee.

Carried.

MESSAGES FROM THE HOUSE.

The following message were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 23, a bill for an act to revise, amend and codify the statutes in relation to the justices of the peace and their courts.

JAMES D. ROWEN,
Chief Clerk.

Also:

House file No. 209, a bill for act legalizing the incorporation of the town of Earlham, Iowa, and subsequent actions of council of said town.

JAMES D. ROWEN,
Chief Clerk.

Also:

House file No. 226, a bill for an act to amend section 1, chapter 171, of the acts of the Twenty-first General Assembly, providing for the levy of a tax for fire purposes.

JAMES D. ROWEN,
Chief Clerk.

Also:

House file No. 253, a bill for an act to amend section 454 of the Code of Iowa, relating to the powers of cities.

JAMES D. ROWEN,
Chief Clerk.

Also:

House file No. 260, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works,

and to provide for the management thereof, and giving them additional powers in respect thereto.

JAMES D. ROWEN,
Chief Clerk.

Also:

Senate file No. 247, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 54 of the acts of the Twenty-fifth General Assembly, in relation to the bonding of county indebtedness.

JAMES D. ROWEN,
Chief Clerk.

Senator Waterman presented the following resolution:

Resolved, That the various committees of the Senate, having charge of parts of the proposed Code are hereby empowered and advised to confer with the committee of the House having like parts of said proposed Code under consideration, and endeavor, in as far as practicable, to harmonize their views before reporting the bills to the two Houses.

On objection by Senator Berry, it was laid over under the rules.

Senator Byers presented the following resolution, and asked that it be laid over:

Resolved, That all bills originating in the Senate relating to the revision of the Code, sent to the various committees as reported by the Committee on Code Revision, be reported back to the Senate by the various committees by March 3rd.

HOUSE MESSAGES.

House file No. 23, a bill for an act to revise, amend and codify the statutes, in relation to justices of the peace and their courts, was read first and second time and referred to Committee on Code Revision.

House file No. 209, a bill for an act legalizing the incorporation of the town of Earlham, Iowa, and subsequent actions of the council of said town, was read first and second time and referred to Committee on Judiciary.

Senate file No. 247, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 54 of the acts of the Twenty-fifth General Assembly, in relation to the bonding of county indebtedness, was ordered passed on file.

House file No. 253, a bill for an act to amend section 454 of the Code of Iowa, relating to the powers of cities, was read first and second time and referred to Committee on Cities and Towns.

House file No. 226, a bill for an act to amend section 1, chapter 171 of the acts of the Twenty-first General Assembly, providing for the levy of a tax for fire purposes, was read first and second time and referred to Committee on Cities and Towns.

House file No. 260, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy and construct water works, and to provide for the management thereof and giving them additional powers in respect thereto, was read first and second time and referred to Committee on Cities and Towns.

Senator Blanchard moved that the time for adjournment be extended five minutes.

Carried.

The Journal of Saturday was taken up, read, corrected and approved.

Senate adjourned until 10 A. M. to-morrow.

SENATE CHAMBER.
DES MOINES, Iowa, Tuesday, February 18, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. John Ferguson, of Washington, Iowa.

On request of Senator Penrose, Senator Lothrop was excused.

President Parrott excused Secretary Bullard.

PETITIONS AND MEMORIALS.

Senator Trewin presented petition of C. G. Helmig and sixty-five others, relating to control of express companies.

Referred to Committee on Railways.

Senator Trewin presented petition of N. H. Spears and twenty-five others on the same subject.

Referred to Committee on Railways.

Senator Carroll presented petition of Col. George Duffield and forty-nine others on memorial art building.

Referred to Committee on Memorial Hall.

Senator Mitchell presented petition of D. M. Woodfill and sixty-five others, relating to express companies.

Referred to Committee on Railways.

Senator Bonson presented petition of Cooley and others, relating to art building.

Referred to Committee on Memorial Hall.

Senator Bonson presented petitions of Clifford D. Hawk and others on same subject.

Referred to Committee on Memorial Hall.

Senator Hospers presented petition of Alton W. C. T. U., relating to age of consent.

Referred to Committee on Judiciary.

Senator Hospers presented petition of S. M. Bulhughton and others, relating to express companies.

Referred to Committee on Railways.

Senator Rowen presented petition of J. D. Denison and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Funk presented petition of citizens of Dickinson county, relating to memorial hall.

Referred to Committee on Memorial Hall.

Senator Hobart presented petition of J. C. Preston and others, relating to express companies.

Referred to Committee on Railways.

Senator Hobart presented petition of W. S. Todd and others on same subject.

Referred to Committee on Railways.

Senator Hobart presented petition of Abraham Ward and others, relating to adulterated food and drugs.

Referred to Committee on Public Health.

Senator Pusey presented petition of H. G. Roennan and thirty-two others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Henderson presented petition of John Winter and others on same subject.

Referred to Committee on Judiciary.

Senator Alexander presented petition of William E. Bundy and twenty-eight others, relating to express companies.

Referred to Committee on Railways.

Senator Garst presented petition of A. L. Mason and other citizens of Early, Iowa, on same subject.

Referred to Committee on Railways.

Senator Garst presented petition of Thomas Burns and forty-five others on same subject.

Referred to Committee on Railways.

Senator Berry presented petition of John B. Read and sixty-six others on same subject.

Referred to Committee on Railways.

Senator Ericson presented petition of D. N. DeLar and fifty others on memorial hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Penrose presented petition of Vinton Post, G. A. R., on same subject.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Sargent presented petition of H. M. Bigelow and other merchants of Grundy county, relating to peddlers' license.

Referred to Committee on Ways and Means.

Senator Cheshire presented petition of W. H. Stowel and thirty-seven others on fraternal beneficiary societies.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 291, a bill for an act authorizing certain cities to establish a department of health, and defining its powers and duties.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Druet, Senate file No. 292, a bill for an act to tax express companies, regulating such taxation and releasing certain taxes herein named.

Read first and second time and referred to Committee on Railways.

By Senator Druet, Senate file No. 293, a bill for an act for the better protection of life and property by the inspection of all traction, portable and semi-portable steam boilers used for the purpose of threshing grain and grass seeds, shelling corn and grinding feed, sawing wood and lumber, and to provide for the licensing of engineers of such steam boilers.

Read first and second time and referred to Committee on Manufactures.

By Senator Ranck, Senate file No. 294, a bill for an act to make an appropriation for the State Historical association.

Read first and second time and referred to Committee on Appropriations.

By Senator Young, Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery company, of Manchester, Iowa, etc.

Read first and second time and referred to Committee on Judiciary.

By Senator Rowen, Senate file No. 296, a bill for an act to amend section 4013 of the Code of Iowa, as amended by chapter 142 of the acts of the Twentieth General Assembly.

Read first and second time and referred to Committee on Judiciary.

By Senator Rowen, Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Downey, Senate file No. 298, a bill for an act to amend section 4, chapter 143 of the acts of the Sixteenth General Assembly, relating to judges of superior judges.

Read first and second time and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 299, a bill for an act requiring corporations receiving deposits or doing a banking business under the laws of Iowa to keep a certain per cent of their deposits as a reserve fund.

Read first and second time and referred to Committee on Banks and Banking.

By Senator Cheshire, Senate file No. 300, a bill for an act to amend section 3, chapter 75 of the acts of the Twenty-first General Assembly, in relation to state banks.

Read first and second time and referred to Committee on Banks and Banking.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 346, a bill for an act to amend sections 7 and 13 of chapter 33 of the acts of the Twenty-fourth General Assembly, relating to the manner of holding elections.

JAMES D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

On motion of Senator Alexander, House messages were taken up.

House file No. 346, a bill for an act to amend sections 7 and 13 of chapter 33, acts of the Twenty-fourth General Assembly, relating to the manner of holding elections, was taken up and read first and second time.

Senator Alexander moved that the rule be suspended and that the bill be considered engrossed and read a third time now.

Carried.

Senator Waterman moved that the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson,

Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen Sargent, Trewin, Upton, Waterman, Young—44

The nays were:

None.

Absent or not voting:

Senators Ellison, Gorrell, Harper, Healy, Lehfeldt, Lothrop—6.

So the bill passed and the title was agreed to.

Senator Mitchell offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

WHEREAS, There is now pending in Congress a bill, H. R. 4339, "to establish a national military park to commemorate the campaign, siege and defense of Vicksburg," which has been favorably reported by the Committee on Military affairs; and

WHEREAS, Gettysburg and Vicksburg, being inseparably connected and constituting the greatest epoch in the war of the rebellion, should be equally commemorated in the most impressive and enduring manner possible; and

WHEREAS, The establishment of a national military park to commemorate the campaign, siege and defense of Vicksburg will be the most appropriate, impressive and enduring monument possible to the genius of the commander, who there stepped into the front rank of the great captains of the world, and whose fame and character are so dear to all Americans; and

WHEREAS, The State of Iowa has an especial interest in this bill, for the reason that she had a larger proportion of troops engaged in the operations that we propose to commemorate than had any other state, and for the further reason that a greater number of her troops were there engaged than were brought together by any other operation of the war; therefore, be it

Resolved, by the Senate, the House concurring, That the Twenty-sixth General Assembly of the State of Iowa, by this concurrent resolution, asks its senators and representatives in Congress to do all they justly can to secure the prompt passage by Congress of this bill, H. R. 4339, and requests the House Committee on Rules to give an early date for its consideration by the House; and the Secretary of State is hereby instructed to send a copy of this resolution to the Senators and members of the House of Representatives in Congress from Iowa, and to the Hon. Thos. B. Reed, Speaker of the House of Representatives of the United States of America.

Adopted.

REPORTS OF COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended so as to read as follows:

"SECTION 1. County auditors are hereby authorized to collect and receive all moneys due their respective counties except where otherwise provided by law, and shall be responsible for all public funds received or collected by them," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding the following to the close of section: "*Provided, however, that nothing in this act shall in any manner affect pending litigation,*" and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-referred Senate file No. 9 (substitute), a bill for an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute bill be adopted, and when adopted it do pass.

SUBSTITUTE FOR SENATE FILE NO. 9.

A bill for an act to repeal section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly, and to enact a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly be and the same is hereby repealed, and the following enacted in lieu thereof:

SEC. 2. If any person ravish and carnally know any female by force and against her will, he shall be punished by imprisonment in the penitentiary for life or any term of years.

SEC. 3. If any person over the age of sixteen years carnally know and abuse any unmarried female under the age of sixteen years, he shall be punished by imprisonment in the penitentiary for life or any term of years;

Provided, That where the female is over the age of fourteen years and under the age of sixteen years at the time of the commission of the offense, the defendant may, in the discretion of the court, be punished by imprisonment in the penitentiary not more than five years, or by imprisonment in the county jail not exceeding one year, or by fine not exceeding one thousand dollars, or by both such fine and imprisonment;

Provided, That nothing in this act shall in any manner affect pending proceedings in any of the courts of this state, and the former statute hereby repealed shall continue in force for the punishment of offenses therein named, committed before the taking effect of this act.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 204, a bill for an act to authorize incorporated towns and cities of the second class to issue and negotiate bonds to procure funds to pay outstanding warrants and negotiable instruments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor, and that said substitute do pass:

SUBSTITUTE FOR SENATE FILE NO. 204.

A bill for an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly, relating to funding indebtedness of cities and towns.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1 of chapter 14 of the laws of the Twenty-fourth General Assembly be and the same is hereby amended by inserting after the words "incorporated towns" in the first line thereof the words "and cities of the second class," and by striking out the word "twenty" after the word "then" in the seventh line and "fifteen" and by striking out the word "five" before the word "years" in the eighth line and insert the word "three."

SEC. 2. All the provisions and conditions of chapter 14 of the laws of the Twenty-fourth General Assembly, after being amended as set forth in section 1 hereof, shall apply to and include cities of the second class.

SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 226, a bill for an act to amend section 1, chapter 171, of the acts of the Twenty-first General Assembly, providing for levy of tax for fire purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be substituted for Senate file No. 192, and that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 161, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, relating to indebtedness of cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 222, a bill for an act to regulate the expenditure of the county road fund and county bridge fund, beg leave to report that they have had the same under consideration in committee and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 68, a bill for an act relative to trimming osage orange, willow and all other hedge fences and for keeping the roads clear of brush and noxious weeds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: That in section 1, line 5, printed bill, the word "noxious" be stricken out; that in section 1, line 5, printed bill, after the word "weeds" the following words be added, "and it shall be done at such time as to prevent such weeds from going to seed;" that in section 2, line 3, printed bill, the words "ten days" in lieu of "two months" be inserted; that in section 2,

line 3, printed bill, to insert after the words "ten days" the words for cutting weeds "and sixty days for cutting brush and hedges;" that in section 4, line 6, printed bill, the words "unless same has been previously paid" be inserted after the word "thereof," and when so amended the bill do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Carney moved that substitute for Senate file No. 9 be printed.

Carried.

Senator Carpenter, from the Code Revision Committee, presented oral report on Senate file No. 64, in relation to the constitutionality of the bill.

Senator Carpenter moved that the marginal figures, the underscoring and figures at end of the sections, be stricken out.

Carried.

Senator Carpenter moved that Senate file No. 64 be read a third time now.

Carried.

Senator Perrin moved that the part of the bill read yesterday be omitted to-day.

Carried.

Third reading of the bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Byers, Eaton, Gorrell, Healy, Kilburn, Lehfeldt, Lothrop.

The bill having received a constitutional majority, was declared to have passed the Senate.

Senator Carpenter offered the following amendment to the title:

A bill for an act to revise, amend and re-enact title number 1 of the Code of 1873, relating to the sovereignty and jurisdiction of state and legislative departments.

So the title as amended was agreed to.

Senator Waterman called for reading of report of committee with substitute for House file No. 58.

The report of committee was read and adopted.

The substitute was then read first and second time.

Senator Waterman moved that the bill be amended by inserting in section 7 the words "in any one year" in line four after the word "dollars."

Carried.

Senator Trewin moved to amend the fifth line of section 1; strike out the word "vote" and insert in lieu thereof "the form of the proposition."

Carried.

Senator Trewin offered the following amendment:

Strike out "shall" in line 2 of section 5 and insert "may;" and insert after the word "permitted" in same line the words "by the township trustees."

Carried.

Senator Junkin offered the following amendment:

Strike out in the first line in section 2 the words "electors shall vote for a public hall," and insert in lieu thereof "votes cast are in favor of the tax."

Carried.

Senator Penrose offered the following amendment:

Amend section 2 by inserting after the word "township" in fourth line "located without the limits of any incorporated city or town."

Lost.

Senator Carpenter offered the following amendment:

Strike out "under the direction of the trustee" in first line of section 5, and add after the word "building" in second line, these words: "Under such rules and regulations as shall be prescribed by the electors of the township."

Lost.

Senator Waterman moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

Senator Hospers voted in the negative.

Absent or not voting:

Senators Eaton, Ellison, Gorrell, Healy, Kilburn, Lehfeldt, Lothrop, Mitchell, Phelps—9.

So the bill passed and the title was agreed to.

The Journal of Monday was taken up, read, corrected and approved.

Senator Upton moved that when the Senate adjourn it be to meet at 9 o'clock to-morrow.

On this a division was called, and the motion was lost.

Senator Garst moved that when the Senate adjourn it be until 9:30 o'clock to-morrow.

Lost.

Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, February 19, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. B. F. W. Cozier, of Colfax, Iowa.

Senator Gorrell offered the following resolution and moved its adoption:

Resolved, That D. M. Kelly, principal of the Colfax high school, and A. W. Braley, principal of the Kellogg high school, and their classes, be granted the privilege of the Senate Chamber.

Adopted.

PETITIONS AND MEMORIALS.

Senator Pusey presented petition of J. G. Moss and others in regard to control of express companies.

Referred to Committee on Railways.

Senator Upton presented petition of H. C. Goddard and others for the erection of a building for the exhibition of manufactured products upon the Iowa State Fair grounds.

Referred to Committee on Manufactures.

Senator Bonson presented petition of Norwegian Plow Company and others on same subject.

Referred to Committee on Manufactures.

Senator Craig presented petition of H. W. Gould and others relative to the control of express companies.

Referred to Committee on Railways.

Senator Craig presented petition of W. C. Halt and others in regard to House file No. 83 and asked to have it read.

Referred to Committee on Elections.

Senator Hipwell presented petition of Henry Egbert and others in regard to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Bell presented petition of W. R. Wherrey and others in regard to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Carroll presented petition of F. F. Warner and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Carpenter presented petition of Paul Servers and others, relative to preservation of fish.

Referred to Committee on Fish and Game.

Senator Carpenter presented petition of J. M. Butler and others on same subject.

Referred to Committee on Fish and Game.

Senator Funk presented petition of N. Garfield and others, relating to express companies.

Referred to Committee on Railways.

Senator Blanchard presented petition of Al. Swalm and others, relating to Bonaparte dam.

Referred to Committee on Fish and Game.

Senator Ellis presented petition of R. C. Vankuran and others, relative to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Gilbertson presented petition of Eugene Secor and others, relative to same subject.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Hotchkiss presented petition of W. W. Sickles and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Ellis presented petition of Frank W. Mahin and others on same subject.

Referred to Committee on Judiciary.

Senator Cheshire presented memorial of Kinsman Post, G. A. R., on same subject.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of D. R. Schunickin and others, in relation to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Phelps presented petition of A. Gardner and others, relative to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Phelps presented memorial of Farmers' Institute of Shelby county, relative to mutual insurance companies.

Referred to Committee on Insurance.

Senator Carpenter presented petition of C. A. Sprague and others, relative to resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Riggen presented petition of S. W. Brunt, W. S. Robie and F. E. Dunn, relative to control of express companies.

Referred to Committee on Railways.

Senator Ellison presented memorial of Jones County Farmers' Institute in regard to agricultural societies.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Carpenter, Senate file No. 301, a bill for an act to enable cities under special charter to issue bonds for the paving of streets and alley intersections.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Gilbertson, Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of peace in and for Norway township, Winnebago county, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Hipwell, Senate file No. 303, a bill for an act to exempt crematoriums from taxation.

Read first and second time and referred to Committee on Ways and Means.

By Senator Hotchkiss, Senate file No. 304, a bill for an act to amend section 2354 of the Code of 1873, and to preserve a record of the real estate belonging to estates of deceased persons.

Read first and second time and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 305, a bill for an act requiring corporations to file their articles of incorporation with the Secretary of State and procure a certificate [to do business.

Read first and second time and referred to Committee on Judiciary.

By Senator Mitchell, Senate file No. 306, a bill for an act to repeal sections 1, 2 and 3 of chapter 50 of the acts of the

Twenty-fourth General Assembly, in relation to adulteration of skim milk, cheese, butter and to enact a substitute therefor.

Read first and second time and referred to Committee on Public Health.

By Senator Palmer, Senate file No. 307, a bill for an act to repeal chapter 58 of the acts of the Twenty-first General Assembly, and all acts amendatory thereto and provide a substitute therefor.

Read first and second time and referred to Committee on Military.

By Senator Palmer, Senate file No. 308, a bill for an act to create and regulate public warehouses and the warehousing and shipping of grain.

Read first and second time and referred to Committee on Agriculture.

By Senator Riggen, Senate file No. 309, a bill for an act to amend section 1433 of the Code, relating to care of the insane.

Read first and second time and referred to Committee on Judiciary.,

By Senator Riggen, Senate file No. 310, a bill for an act to provide for the support of a station to distribute infectious material of insect diseases.

Read first and second time and referred to Committee on Agriculture.

By Senator Trewin, Senate file No. 311, a bill for an act for the protection of game.

Read first and second time and referred to Committee on Fish and Game

By Senator Garst, Senate file No. 312, a bill for an act to amend chapter 1 of title ix of the Code, as amended by chapter 86 of the Twenty-second General Assembly.

Read first and second time and referred to Committee on Judiciary.

Senator Hipwell introduced the following

JOINT RESOLUTION NO. 12.

Joint resolution of the General Assembly of the State of Iowa, directing the survey and sale of lands left dry by the disappearance of Swan and Muskrat lakes in Pocahontas county, State of Iowa.

WHEREAS, The bodies of water known as Swan and Muskrat lakes, situated in sections 9, 15, 16 and 17, township 93 north, of range 34 west, in Pocahontas county, State of Iowa, have receded so as to leave their beds dry and susceptible of cultivation; and

WHEREAS, The owners of the lands adjacent to said beds, which were made fractional government decisions by reason of the existence of said bodies of water at the time of the survey thereof, claim title to so much of said lake beds as shall complete the government division of the tract held by each; and yet, to remove any doubt as to the title thereof, are willing to pay the state a reasonable consideration for the conveyance of any interest the state may have therein; therefore, be it

Resolved, by the General Assembly of the State of Iowa, That the Secretary of State shall, as soon as practicable, cause said lake beds to be surveyed by extending the lines of the General Government survey across said beds and ascertain the number of acres thereof, and cause a record to be made of said survey; and

Resolved, further, That for a period of six months from the date of the completion of said survey and the record thereof, each person owning lands abutting said lake beds shall have the right to purchase so much of said lake beds as shall complete the fractional part owned by him of the section wherein his land lies, at the sum of two and one-half ($2\frac{1}{2}$) dollars per acre, and on the payment of said sum into the state treasury within the said time a patent shall issue to him for the land purchased by him as aforesaid; and

Resolved, further, That at the expiration of the said six months, if there remain any of said lake beds unsold as aforesaid, then the Secretary of State shall sell the several parcels remaining separately at public auction for cash at the Capitol Building at Des Moines, after giving notice thereof by advertising for thirty (30) days in the Des Moines Register, published at the city of Des Moines, Iowa, and patent shall issue to the purchaser thereof.

Read first and second time by its title and referred to Committee on Public Lands.

By Senator Kilburn, Joint Resolution No. 13, proposing an amendment to the constitution of the State of Iowa.

JOINT RESOLUTION NO. 13.

Resolved, by the General Assembly of the State of Iowa, That the following amendment to section seven (7), article two (2) of the constitution of the State of Iowa, which reads, "The general election for state, district, county and township officers shall be held on the Tuesday next after the first Monday in November" be amended by adding the words "in each even numbered year," so that the section shall read:

SECTION 7. The general election for state, district, county and township officers shall be held on the Tuesday next after the first Monday in November in each even numbered year.

Read first time by its title and second time in full, ordered printed in the Journal, and referred to Committee on Constitutional Amendments.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 243, a bill for an act to amend section 2, chapter 35, acts of the Twenty-third General Assembly, relating to the sale of liquors by pharmacists.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 83, a bill for an act to amend section 12, chapter 48, of the acts of the Twenty-second General Assembly of the State of Iowa, relating to registration of voters.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 2, a bill for an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the state and legislative departments.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 95, a bill for an act to amend paragraph No. 4, in section 796, of the Code of Iowa for the year 1893, for the levying of a tax for county bridges.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Concurrent resolution, relative to requesting the Auditor of State to furnish information to the General Assembly on certain subjects.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Concurrent resolution, relative to Vicksburg National Park.

JAMES D. ROWEN
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected the following bill, in which the concurrence of the House was asked:

Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the Twenty-fifth General Assembly.

JAMES D. ROWEN,
Chief Clerk.

The President announced that the time for the consideration of special orders had arrived.

Senator Trewin moved that the special order be delayed until the regular order of business had been completed.

Carried.

Senator Ellis presented the following concurrent resolution:

Resolved, by the Senate, the House concurring, That the Governor be advised to grant the application of William Slowey for a pardon, to be upon the condition, however, that said William Slowey abstain from the use of all intoxicating liquors, avoid associating with any and all vicious characters, and that he never engage as proprietor or servant in the buying or selling of intoxicating liquors in the State of Iowa, and in all respects observe the laws of this state, and upon the violation of any of the conditions hereof by said William Slowey, then that said pardon be immediately revoked.

Referred to Committee on Penitentiaries and Pardons.

REPORTS OF STANDING COMMITTEES.

Senator Pusey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred concurrent resolution, relative to the proposed change of the inter-state common law of the United States with respect to railroads pooling their earnings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the Senate do not concur with the House therein.

N. M. PUSEY,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 200, a bill for an act amending chapter 151 of the acts of the Eighteenth General Assembly of the State of Iowa, relating to the State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back

to the Senate with the recommendation that House file No. 122 be substituted therefor, and that when so substituted it be amended as follows: By inserting the words "an officer or" in the fourth line just after the words "shall be," and by striking out the words "or either directly or indirectly connected with" in the fourth and fifth lines, and also by adding at the end of the bill the following: "*Provided*, this act shall not in any manner affect the tenure of office of any of the present incumbents," and when the substitute is so amended they recommend that the same do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Rowen moved that 200 extra copies of Senate file No. 121 be printed.

Carried.

Special order, Senate file No. 66, was taken up.

The pending amendment by Senator Harper to strike out the word "six" and insert the word "twenty-four" in lieu thereof, was lost.

Senator Bell moved to amend by striking out the word "six" and inserting the word "twelve."

Carried.

Senator Carney moved to amend the third line of section 1 by inserting after the word "hour" "after discovery thereof by such person in charge of said infant."

Carried.

Senator Trewin offered the following amendment:

I move to insert as section 2 the following: "It is hereby made the duty of the attending physician and midwives to instruct parents and nurses in regard to the provisions of this act and the danger of sore eyes in infants.

Adopted as amended.

Senator Blanchard moved to reconsider the vote on the amendment to strike out the word "six" and insert the word "twelve."

Carried.

On the reconsideration the amendment was lost.

Senator Pusey moved to amend by striking out the words "in writing" in the third line of section 1.

Carried.

Senator Druet moved to amend by inserting the word "medical" before the word "practitioners" in the fourth line of section 1.

Carried.

Senator Carney moved to amend by adding the following as section 4:

It shall be the duty of such health officer or practitioner to provide for the necessary surgical or medical treatment forthwith for eyes of said infant, and if the parents are unable to pay for such treatment a verified claim for reasonable compensation shall be filed with the board of supervisors and paid by the county.

Lost.

Senator Druet moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Gilbertson, Gorrell, Harper, Harriman, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—37.

The nays were:

Senators Berry, Bonson, Everall, Garst, Henderson, Downey—6.

Absent or not voting:

Senators Alexander, Healy, Hospers, Lehfeldt, Lothrop, Perrin, Pusey—7.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 278, a bill for an act to legalize certain warrants issued by the city of Ottumwa, Iowa, was taken up, considered and the report of the committee adopted.

Senator Waterman moved to amend the title of the bill as follows:

Amend title by inserting after the word "legalize" the words "the issuing of," and strike out the word "issued" in the second line of said title.

Carried.

Senator Waterman moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell,

Harper, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Mitchell, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bonson, Eaton, Ellison, Harriman, Healy, Hospers, Junkin, Lehfelddt, Lothrop, Palmer, Penrose, Pusey, Trewin—13.

So the bill passed and the title was agreed to.

Senator Garst moved that Senate file No. 146 be taken from the Calendar for reasons shown by committee report.

Carried.

On motion of Senator Carney, Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporated town of LeGrand, Iowa, with report of committee recommending certain amendments, and when so amended that it do pass, was taken up, considered and the report of the committee adopted.

Senator Carney moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Alexander, Healy, Hospers, Lehfelddt, Lothrop, Penrose—6.

So the bill passed and the title was agreed to.

On motion of Senator Ellis, House file No. 161, a bill for an act to apply to cities of the first class, the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, relating to indebtedness of cities and towns, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellis offered the following amendment:

I move to amend section 1 of House file No. 161, by adding thereto the following: "*Provided*, however, that this act shall not apply to any bonds or indebtedness or taxes that have been adjudicated to be invalid or are now in litigation."

Amendment adopted.

Senator Cheshire moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Blanchard, Bonson, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—38.

The nays were:

None

Absent or not voting:

Senators Alexander, Berry, Byers, Carpenter, Harper, Harriman, Healy, Hospers, Kilburn, Lehfeldt, Lothrop, Pusey—12.

So the bill passed and the title was agreed to.

Senator Harper moved that the time of adjournment be extended 10 minutes.

Carried.

On motion of Senator Harper, Senate file No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class, with report of committee recommending certain amendments, and when so amended that it do pass, was taken up, considered and the report of the committee adopted.

Senator Harper moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were:

None.

Absent or not voting:

Senators Alexander, Harriman, Healy, Hospers, Kilburn, Lehfelddt, Lothrop, Pusey—8.

So the bill having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Druet moved that the time of adjournment be extended five minutes longer.

Carried.

On motion of Senator Druet, Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Iowa, and the ordinances passed by said incorporated town, with report of committee recommending its passage with certain amendments, was taken up, considered, and the report of the committee adopted.

Senator Druet moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Ranck, Rigger, Sargent, Trewin, Waterman, Young—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bell, Ericson, Harriman, Healy, Hospers, Hotchkiss, Lehfelddt, Lothrop, Phelps, Pusey, Rowen, Upton—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate adjourned until 10 A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, February 20, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. A. H. Ballard, of Des Moines.
Senator Craig asked an excuse for Senator Druet.

PETITIONS AND MEMORIALS.

President Parrott presented memorial of Abigail Adams Chapter Daughters of the Revolution of Des Moines, relative to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

President Parrott presented memorial of Des Moines Woman's Club on same subject.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Harper presented petition of citizens of Burlington, Iowa, relative to special levy of taxes for State University, asked that it be read and the privilege of withdrawing the same for presentation in the other House.

Referred to Committee on Judiciary.

Senator Ellis presented petition of J. H. Kelly & Bros. and others, relative to manufacturers' building on state fair grounds.

Referred to Committee on Agriculture.

Senator Carney presented petition of F. H. Houghton and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Carney presented petition of General Sheridan Post, G. A. R., relating to soldiers' and sailors' monument.

Referred to Committee on Military.

Senator Bonson presented petition of P. H. E. Sommerfield and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Blanchard presented petition of W. P. Snow and others on same subject.

Referred to Committee on Judiciary.

Senator Phelps presented petition of W. H. Brundage and others, relative to the control of express companies.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Bell, Senate file No. 313, a bill for an act to enable cities, towns or villages to levy and collect a tax or license fee from foreign insurance companies.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Craig, Senate file No. 314, a bill for an act to appropriate money to pay the expenses of the Iowa Shiloh battlefield commission, etc.

Read first and second time and referred to Committee on Appropriations.

By Senator Carroll, Senate file No. 315, a bill for an act to provide for an act to provide for the payment of the mileage of the committees appointed to visit the state institutions.

Read first and second time.

Senator Carroll moved that the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers Hotchkiss, Hurst, Lothrop, Palmer, Perrin, Phelps, Pusey, Rigger, Sargent, Trewin, Upton, Waterman, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bonson, Carpenter, Cheshire, Druet, Funk, Healy, Junkin, Kilburn, Lehfeltdt, Mitchell, Penrose, Ranck, Rowen—13.

So the bill passed and the title was agreed to.

Senator Rikken called up the concurrent resolution relative to distribution of reports of geological survey, and moved its adoption.

Carried.

Senator Byers called up his resolution relative to additional clerks.

Senator Waterman moved to amend by striking out all that part of the resolution except that providing for a stenographer for Secretary.

Carried.

On the question, "Shall the resolution, as amended, pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Craig, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hospers, Hotchkiss, Junkin, Palmer, Perrin, Pusey, Ranck, Rikken, Sargent, Trewin, Waterman, Young—30.

The nays were:

Senators Berry, Downey, Eaton, Ellis, Everall, Henderson, Kilburn, Mitchell, Phelps, Upton—10.

Absent or not voting:

Senators Cheshire, Druet, Harriman, Healy, Hobart, Hurst, Lehfeldt, Lothrop, Penrose, Rowen—10.

So the resolution was adopted.

HOUSE MESSAGES.

House file No. 243, a bill for an act to amend section 2, chapter 35, acts of the Twenty-third General Assembly, relating to the sale of liquors by pharmacists, was read first and second time and referred to Committee on Pharmacy

House file No. 83, a bill for an act to amend section 12, chapter 48, of the acts of the Twenty-second General Assembly of the State of Iowa, relating to the registration of voters, was read first and second time and referred to Committee on Elections.

House file No. 2, a bill for an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the state and legislative departments, was read first and second time and referred to Committee on Code Revision.

House file No. 95, a bill for an act to amend paragraph No. 4, in section 796 of the Code of Iowa for the year 1893, for the

levying of a tax for county bridges, was read first and second time and referred to Committee on Ways and Means.

Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the Twenty-fifth General Assembly, was passed on file.

Following concurrent resolution, relative to Military park at Vicksburg:

CONCURRENT RESOLUTION IN RELATION TO VICKSBURG NATIONAL PARK.

WHEREAS, There is now pending in Congress a bill, H. R. 4339, "to establish a national military park to commemorate the campaign, siege and defense of Vicksburg," which has been favorably reported by the Committee on Military Affairs; and

WHEREAS, Gettysburg and Vicksburg, being inseparably connected, and constituting the greatest epoch in the war of the rebellion, should be equally commemorated in the most impressive and enduring manner possible; and

WHEREAS, The establishment of a national military park to commemorate the campaign, siege and defense of Vicksburg will be the most appropriate, impressive and enduring monument possible to the genius of the commander, who there stepped into the front rank of the great captains of the world, and whose fame and character are so dear to all Americans; and

WHEREAS, The State of Iowa has an especial interest in this bill, for the reason that she had a larger proportion of troops engaged in the operations it proposes to commemorate than had any other state, and for the further reason that a greater number of her troops were there engaged than were brought together by any other operation of the war; therefore

Resolved, That the Twenty-sixth General Assembly of the State of Iowa, by this concurrent resolution, asks its Senators and Representatives in Congress to do all they justly can to secure the prompt passage by Congress of this bill, H. R. 4339, and requests the House Committee on Rules to give an early date for its consideration by the House; and the Secretary of State is hereby instructed to send a copy of this resolution to the Senators and members of the House of Representatives in Congress from Iowa, and to the Hon. Thomas B. Reed, Speaker of the House of Representatives of the United States of America.

Senator Mitchell moved that the Senate concur in the resolution.

Carried.

The House has passed the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved, by the House of Representatives, the Senate concurring, That the Auditor of State is hereby requested to furnish information to this general assembly on the following subjects:

First—The number of miles of railroad in the state.

Second.—The value of said railroads, computed on cost of construction, including bridges and rolling stock.

Third.—The assessed valuation as listed for taxation of all railroad property in the State of Iowa, and the amount of taxes received by the state as tax from railroads.

Fourth.—The amount of tax paid by railroads to the counties, townships, cities, towns, school and road districts. If such facts are not at hand an estimate is desired.

Fifth.—The amount of money that might be expected to be received by the state treasury from railroad tax, if railroads were taxed on the same basis as telegraph and telephone levies are made.

Sixth.—The amount of tax received from telegraph, telephone and express corporations. If express companies pay no tax please so state.

Seventh.—The amount of tax received from insurance and other corporations paying direct into the state treasury.

Eighth.—The amount of money received from fees, so grouped as to give definite information as to sources from whence received.

Ninth.—The advisability of changing the laws so that all corporation tax shall be paid into the state treasury.

Where facts and figures are not accessible for answers to the above, estimates are desired.

As the information desired is for the purpose of aiding the Legislature in arriving at ways and means for raising the necessary revenue, the State Auditor is requested to offer such suggestions as he may think proper and give such additional information as in his judgment may aid in forming conclusions, as to the desirability of a change in the revenue system of the state.

Senator Kilburn moved that the Senate concur in resolution.

Senator Waterman moved that the resolution be referred to Committee on Ways and Means.

Carried.

REPORT OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 209, a bill for an act to amend section 3072 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 202, a bill for an act to amend section 1395 in relation to commissioners of insanity, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting after the word "insanity" in the third line of original bill the words, "one at each county seat," and as so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 47, a bill for an act to repeal section 2580 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary, to whom was referred Senate file No. 163, a bill for an act to amend section 3908 of the Code of 1873 relating to embezzlement by public officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out all after the word "following" to the words "who shall" and insert in lieu thereof the words "and any such officers." Strike out the words "if any such officer" in the seventh and eighth lines of original bill and insert in lieu thereof "in case he." Strike out all in the section after the word "account" in eighth line of original bill to the word "embezzlement," and insert in lieu thereof the following: "Therefor upon demand of the person entitled thereto he shall be deemed guilty of"; also add to end of section 1 the words "and shall be punished as above provided," and when so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 39, a bill for an act repealing section 3959 of the Code and enacting a substitute therefore, relative to breaking jail, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in.

L. A. ELLIS,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 133, a bill for an act to repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways and to enact a

substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the words " provided that no costs shall in any case be taxed against a claimant acting in good faith," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 90, a bill for an act to amend section 3814 of the Code of Iowa, as amended by the Sixteenth General Assembly, relating to witness fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate concurrent resolution, relative to placing medallions on soldiers' monument, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted:

WHEREAS, The people of Iowa have erected a monument to express their appreciation of the courage, patriotism and sacrificing devotion of the men who braved all danger, and in so many instances met death in order that national supremacy might be maintained and free institutions preserved; and

WHEREAS, Objections having been made to the manner in which the commissioners who had the erection of the monument in charge have executed their trust; and

WHEREAS, This committee having made a partial investigation of the same, find that the commissioners have, as we believe, endeavored to execute their task in accordance with the will, and agreeably to the approval of former general assemblies; and

WHEREAS, The completion of the monument requires additional directions; therefore,

Be it Resolved by the General Assembly of the State of Iowa:

First.—That the commission be directed not to place upon the monument the medallion, face or other representation of any soldier who did not honorably participate in one or more active engagements in the war of the rebellion.

Second.—That the commission be authorized to procure additional medallion portraits, not exceeding thirty-two in number, so that each regiment and organization from Iowa which was in active service in the war may have at least one representative upon the monument.

Third.—That the commission be requested to have its records rewritten, leaving out all names or allusions by which it may be determined whose faces or figures were intended to be represented upon the monument, and that no record leading to identification be preserved in the archives of the state.

Fourth.—That the commission be directed to have inscribed upon the monument the designation of each regiment and organization, with its date of muster and discharge.

G. M. CRAIG,

Chairman.

Ordered passed on file.

The minority also presented a report:

MINORITY REPORT.

The undersigned members of your sub-committee, to whom was referred matters relating to the soldiers' monument, respectfully submit the following minority report:

First.—We are opposed to the appearance of any medallion portraits of any person, living or dead, upon said monument.

Second.—Believing that the exaltation given one soldier above another in placing the proposed medallions on the monument is condemned by a large majority of ex-union soldiers living in Iowa, we cannot in justice to our comrades, as we see it, approve the sentiment expressed in the majority report.

J. A. RIGGEN,

THOS. BELL,

D. J. PALMER.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 183, a bill for an act to make an annual appropriation to the State Agricultural society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass after it has been amended by striking out the words "and an annual appropriation of five thousand dollars (\$5,000) each year thereafter" in lines 4 and 5 of section 1, and substituting therefor the words "and the sum of three thousand dollars (\$3,000) for 1897."

D. J. PALMER,

Chairman.

Ordered passed on file.

REPORTS OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 346, a bill for an act to amend sections 7 and 13, chapter 33, of the acts of the Twenty-fourth General Assembly, relating to the manner of holding elections.

G. S. GILBERTSON,

Chairman for Senate Committee.

W. E. HAUGER,

Chairman for House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 76, a bill for an act to legalize the ordinances passed by the incorporated town of Glidden, Carroll county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 247, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 56 of the acts of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

REPORT OF COMMITTEE.

Senator Funk, from the Committee on Ways and Means, submitted the following report:

REPORT.

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 145, a bill for an act providing for the taxation of express companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

In printed bill, section 1, line 1, between the words "any" and "joint" insert the words "person or persons."

Strike out from the first line of said section the last three words, "incorporated under the," and from line 2 the first five words, "laws of any other state."

In line 3 change "or," between the words "express" and "contract," to "on." In same line, between the words "railroad" and "company," insert the words "or steamboat."

In line 4, between the words "railroad" and "companies," insert the words "or steamboat."

Section 1 to close after the words "express company," where they first occur in line 6. Strike out the word "and" immediately following and insert the words "section 2."

In line 12 strike out the letter "s" from the word "railroads" and insert immediately thereafter the words "or steamboat companies."

Beginning with the word "and" in line 13, strike out all to and including the word "state" in line 15.

After the word "ascertained" in line 15, add "and provided further, that said amount paid to the various railroad or steamboat companies for transportation shall be itemized, showing the amount paid to each railroad or steamboat company."

In line 18, add the letter " s " to the word " receipt."

In line 19, strike out the word " of " where it occurs the first time, and insert the word " for " in lieu therefor.

After the word " business," in same line, strike out words " of such " and insert " done within this state during the."

In line 28, strike out the first word " one " and insert the word " two " in lieu thereof. Add to the next word " dollar " the letter " s."

In line 34, between the words " such " and " company," insert the word " express."

From lines 34 and 35, strike out the words " corporation or association."

Strike out the publication clause.

And as so amended that the bill do pass.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Funk moved that 200 copies of the bill, as amended, be printed.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 300, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the union, and for the establishment and construction of a memorial, historical and art building, and to appropriate money therefor.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 46, a bill for an act granting additional powers to cities of the second class and incorporated towns, relative to the construction of sewers or tile drains.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 37, a bill for an act to authorize cities to acquire real estate within or without their territorial limits, for the purpose of outlets for sewers, and pay for same out of the general fund of the city or out of the sewer fund of the sewer district.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 194, a bill for an act entitled "An act to increase the support fund of the boys' department of the Iowa Industrial School."

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 223, a bill for an act to make an appropriation for the support of the Iowa Weather and Crop Service.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 186, a bill for an act to extend the privileges of free public libraries to towns, villages and townships.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 199, a bill for an act to appropriate money to defray expenses of the inaugural ceremonies.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House wishes to recall Senate file No. 113 in which the House refused to concur.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON THIRD READING.

On motion of Senator Hipwell, House file No. 226, a bill for an act to amend section 1, chapter 171 of the acts of the Twenty-first General Assembly, for the levy of tax for fire purposes, with report of committee recommending that this bill be substituted for Senate file No. 192, and that it do pass, was taken up, considered and the report of the Committee adopted.

Senator Hipwell moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Junkin, Palmer, Penrose, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Upton, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Craig, Downey, Druet, Eaton, Ericson, Hotchkiss, Kilburn, Lehfelddt, Lothrop, Mitchell, Perrin, Rowen, Young—13.

So the bill passed and the title was agreed to.

On motion of Senator Blanchard, Senate file No. 65, a bill for an act to prevent combinations between fire insurance companies, with report of committee recommending certain amendments, and when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Blanchard moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Trewin moved that the vote by which the committee report was adopted on Senate file No. 65 be reconsidered for the purpose of offering amendments to the report.

Carried.

Senator Trewin moved that the time of adjournment be extended twenty minutes.

Carried.

Senator Trewin offered the following amendment:

Add at the end of section 4 the following: "except perjury, and any person knowingly and wilfully making any false statement under oath or affirmation, upon any examination held under authority of this act, shall be deemed guilty of perjury and may be punished accordingly."

On the question, "Shall the amendment pass?" the yeas were:

Senators Allyn, Berry, Bonson, Carpenter, Carroll, Cheshire, Craig, Ellison, Gilbertson, Harper, Healy, Henderson, Hobart, Palmer, Perrin, Trewin, Upton—17.

The nays were:

Senators Alexander, Bell, Blanchard, Byers, Carney, Downey, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Hariman, Hipwell, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Penrose, Phelps, Pusey, Ranck, Rigger, Sargent, Waterman, Young—28.

Absent or not voting:

Senators Druet, Hospers, Lehfeldt, Lothrop, Rowen—5.

So the amendment was lost.

Senator Cheshire moved to return Senate file No. 113 to the House as requested by that body this morning.

Carried.

Senator Upton offered the following amendment:

I move to amend by inserting the word "modify" after the word "revise" in the ninth line of section three.

Adopted.

Senator Hurst moved that the time of adjournment be extended until 12:30 P. M.

Carried.

Miss Lulu Chapman appeared at the bar of the Senate and was sworn in as clerk.

Senator Trewin offered the following amendment:

Insert after "fire." in the second line, section 1, the words "or other," and after the word "companies" the words "insuring property against casualties from the elements."

On this a division was called and the amendment adopted.

Senator Blanchard moved that the report of the committee, as amended, be adopted.

Carried.

Senator Blanchard moved that the bill be engrossed.

Carried.

The Journals of the 18th and 19th were read, corrected and approved.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, February 21, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. J. C. Jacoby, of Newton, Iowa.

PETITIONS AND MEMORIALS.

Senator Alexander presented petition of John A. Buck Post, G. A. R., relating to Soldiers' Home at Marshalltown.

Referred to Committee on Military

Senator Ranck presented petition of Alexander McKinstry, relating to control of express companies.

Referred to Committee on Railways.

Senator Ranck presented petition of J. F. Burkitt and others on same subject.

Referred to Committee on Railways.

Senator Hobart presented petition of C. L. Kolb and others on same subject.

Referred to Committee on Railways.

Senator Hobart presented petition of Wm. Ross and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Kilburn presented petition of J. A. Griswold and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Bell presented petition of N. S. Bright and seventy-eight others in reference to manufacturers' building on the state fair ground.

Referred to Committee on Agriculture.

Senator Blanchard presented memorial of Phil Kearney Post, G. A. R., on Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Harriman presented petition of G. C. Hunting and others, relative to the repeal of the pharmacy laws and county control of intoxicating liquors.

Referred to Committee on Suppression of Intemperance.

Senator Hipwell presented petition of Red Jacket Manufacturing company and others in regard to manufacturers' building on state fair ground.

Referred to Committee on Agriculture.

Senator Allyn presented petition of W. E. Elder and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Perrin presented petition of M. H. Daly and others, relating to manufacturers' building on state fair grounds.

Referred to Committee on Agriculture.

Senator Perrin presented petition of T. S. Hubbard and others relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Palmer presented petition of General Logan Post, G. A. R., on monument, and asked that it be read.

Referred to Committee on Military.

Senator Harper was excused until Tuesday.

INTRODUCTION OF BILLS.

By Senator Berry, Senate file No. 316, a bill for an act to amend section 3061 of the Code of 1873, relating to stay of executions.

Read first and second time and referred to Committee on Judiciary.

By Senator Blanchard, Senate file No. 317, a bill for an act to amend section 3061 of the Code, relating to rate of interest on judgments where stay of execution is taken.

Read first and second time and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 318, a bill for an act to amend section 1, chapter 64 of the acts of the Twenty-fifth General Assembly, relating to trespassing on the lands of another.

Read first and second time and referred to Committee on Agriculture.

By Senator Young, Senate file No. 319, a bill for an act to pay the expenses of J. W. Cliff, contestant for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Read first and second time and referred to Committee on Claims.

By Senator Young, Senate file No. 320, a bill for an act for the protection of members and beneficiaries of beneficiary organizations.

Read first and second time and referred to Committee on Insurance.

By Senator Ellison (by request), Senate file No. 321, a bill for an act to amend chapter 69 of the acts of the Twenty-second General Assembly, relating to the management of criminal insane by adding section 11 thereto, providing a steward for the department of criminal insane at the penitentiary at Anamosa, and fixing the amount of his compensation.

Read first and second time and referred to Committee on Penitentiaries and Pardons.

By Senator Cheshire, Senate file No. 322, a bill for an act to amend section 4022, Code of 1873, relating to the importation, publishing, selling and distributing obscene books and pictures.

Read first and second time and referred to Committee on Judiciary.

Senator Henderson offered the following resolution, and asked that it be laid over.

Resolved, That it is the sense of this body that no action of the General Assembly ought to be taken in selling or making other disposition of the lake beds or other territory within meandered lines, within this state, until a report is submitted to the General Assembly by some officer created by the General Assembly, known as commissioner of lakes or some title indicating his duties, of all the conditions and circumstances pertaining to each piece of territory sought to be disposed of.

Laid over.

HOUSE MESSAGES.

House file No. 300, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the union, and for the establishment and construction of a memorial, historical and art building, and to appropriate money therefor, was read first and second time and referred to Committee on Appropriations.

House file No. 46, a bill for an act granting additional powers to cities of the second class and incorporated towns, relative to the construction of sewers or tile drains, was read first and second time and referred to Committee on Cities and Towns.

House file No. 37, a bill for an act to authorize cities to acquire real estate within or without their territorial limits, for the purpose of outlets for sewers, and pay for same out of the general fund of the city or out of the sewer fund of the sewer district, was read first and second time and referred to Committee on Cities and Towns.

House file No. 194, a bill for an act entitled "An act to increase the support fund of the boys' department of the Iowa Industrial School," was read first and second time and referred to Committee on Charitable Institutions.

House file No. 223, a bill for an act to make an appropriation for the support of the Iowa Weather and Crop Service, was read first and second time and referred to Committee on Appropriations.

House file No. 186, a bill for an act to extend the privileges of free public libraries to towns, villages and townships, was read first and second time and referred to Committee on Public Libraries.

Senate file No. 199, a bill for an act to appropriate money to defray expenses of the Inaugural ceremonies, was passed on file.

Senator Gorrell asked the recommitment of Senate file No. 200 and House file No. 122 to Committee on Public Health.

So ordered.

Senator Craig was excused until Monday on request of Senator Everall.

REPORT OF STANDING COMMITTEES.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 65, a bill for an act to prevent combinations between fire insurance companies and providing penalties therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that we find said bill properly engrossed.

H. L. BYERS,
Chairman.

Ordered passed on file.

Senator Hospers, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 173, a bill for an act abolishing grace and days of grace on negotiable paper, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the same is embodied in the proposed revision of the Code of Iowa.

HENRY HOSPERS,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 247, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 56 of the acts of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 76, a bill for an act to legalize the ordinances passed by the incorporated town of Glidden, Carroll county, Iowa.

G. S. GILBERTSON,
Chairman.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 197, a bill for an act to amend section 3173 of the Code in reference to amount involved in cases of appeal to the supreme court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted, it do pass.

SUBSTITUTE FOR SENATE FILE NO. 197.

A bill for an act to amend section 3173 of the Code of 1873, in reference to amount involved in cases of appeal to the supreme court.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3173 of the Code be, and the same is hereby amended, by striking out the word "one," in the fifth line, and inserting in lieu thereof the word "three."

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 219, a bill for an act fixing the burden of proof in a certain class of actions against telegraph companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 218, a bill for an act limiting the defense of contributory negligence in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations and regulating the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute bill be adopted, and when adopted it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 215, a bill for an act to pay the widow of Capt. J. W. Luke, late railroad commissioner of Iowa, the salary for the unexpired term to which he was elected, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 201, a bill for an act to amend chapter 104 of the acts of the Twenty-first General Assembly, by providing for an appeal from the state board of examiners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the accompanying substitute be adopted, and when adopted it do pass.

A BILL

For an act amending chapter 104 of the Twenty-first General Assembly by providing for an appeal from the decision of the State Board of Examiners.

Be it Resolved by the General Assembly of the State of Iowa:

SECTION 1. That chapter 104 of the acts of the Twenty-first General Assembly be amended by adding to section 7 thereof the following: "Any medical college shall have the right to appeal from any decision of the state board of examiners or state board of health to the district court of the county where the appellant resides or the college is located.

SEC. 2. The appeal must be taken within thirty days after notice of the decision is given to the medical college aggrieved. The appeal shall be taken when a written notice of appeal is served upon the secretary of the board or any member thereof, and said notice, together with a bond to secure all costs, shall be filed with the clerk of the district court.

SEC. 3. On appeal such cause shall be tried as equitable actions.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Berry moved that 500 copies of substitute for Senate file No. 1 be printed.

BILLS ON THIRD READING.

Senator Blanchard moved that Senate file No. 65, as engrossed, be read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were:

Senators Bonson, Downey and Ellis—3.

Absent or not voting:

Senators Craig, Druet, Harper, Lehfeldt, Rowen—5.

So the bill was declared to have passed the Senate.

The title was amended as follows and agreed to:

A bill for an act to prevent combinations between fire and other insurance companies insuring property, or between the officers, agents and employes of such companies, and to provide penalties for the violation thereof.

Senator Ellis, in explanation of his vote, said:

I am in favor of the general proposition contained in the bill, but there should be an exception permitting agreements between insurance companies as to rates when rates are requested by the (proposed) assured. And the bill is otherwise inharmonious because of amendments. I must, therefore, vote in the negative.

On motion of Senator Lothrop House file No. 65; a bill for an act to legalize all special elections held since February 16,

1894, in any city of Iowa of over 5,000 inhabitants, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee adopted.

Senator Lothrop moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll Cheshire, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Craig, Druet, Harper, Lehfeldt, Rowen—5.

So the bill passed and the title was agreed to.

On motion of Senator Carney, Senate file No. 29, a bill for an act to regulate primary elections, with report of committee recommending a substitute, and that when substitute is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Carney moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Blanchard moved that the bill be read and considered by sections.

Carried.

Senator Pusey moved to amend by inserting after the word "question," in the nineteenth line of section 7, the words "touching the matters aforesaid."

Carried.

Senator Harriman moved as an amendment that the word "Saturday" be substituted for the word "Monday" in the second line of section 15.

Carried.

Senator Carney moved to reconsider the vote by which the amendment to section 15 was adopted.

Carried.

Senator Harriman moved to amend the amendment by striking out "Saturday" and inserting the word "day" in lieu thereof.

Lost.

On reconsideration the original amendment was lost.

Senator Hospers moved that when the Senate adjourn it be until Monday at 1 o'clock P. M.

Senator Cheshire moved to amend by fixing the time at 9 o'clock A. M. to-morrow.

On this a division was called, and the amendment was lost.

Senator Garst moved to amend by making the time 10:05 A. M. to-morrow.

On this a division was called, and the amendment prevailed.

The motion as amended was carried.

Senator Cheshire moved that the further consideration of Senate file No. 29 be postponed until 10 o'clock Wednesday.

Lost.

Senator Trewin moved that the time of adjournment be extended twenty-five minutes.

Carried.

Senator Carroll offered the following amendment to section 1:

Amend section 1 by striking out the word "officers" in line 2; also the words "or managing committee of said political party or association" in lines 2 and 3.

Adopted.

Senator Pusey offered the following amendment to section 2:

Add to section 2 the following: "Should any such party which has adopted the primary election law, desire at any time to abandon the same it may do so by resolution passed in the same manner as provided for adopting such law."

Adopted.

Senator Pusey offered the following amendment:

Insert after "office" in line 3 the words "of said political party or association."

Adopted.

Senator Berry offered the following amendment:

"I move to strike out the words "one year" in line 9, section 6, and insert the words "three month" in lieu thereof.

On this a division was called and the amendment adopted.

Senator Upton offered the following amendment.

I move to amend by striking out section 32.

Adopted.

Senator Carney moved that the rule be suspended, the bill considered engrossed and put upon its passages.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Carney, Carroll, Funk, Garst, Gilbertson, Henderson, Lothrop, Pusey, Upton, Waterman—11.

The nays were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Downey, Ericson, Everall, Gorrell, Harriman, Healy, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Rigger, Sargent, Trewin, Young—27.

Absent or not voting:

Senators Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Harper, Hobart, Lehfeldt, Penrose, Ranck, Rowen—12.

So the bill having failed to receive the constitutional majority was lost.

Senator Byers asked the privilege of placing in the Journal an explanation of his vote:

I am in favor of a law regulating primaries, but the amendment to section 6 of this bill defeats the purpose for which the bill was presented; therefore, I vote no.

Senator Carpenter offered the following motion:

I move to reconsider the vote by which the substitute for Senate file No. 29 was lost.

Laid over.

Senator Rowen was excused on committee business.

The Journal of yesterday was read, corrected and approved.

Senate adjourned until to-morrow at 10:05 A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, February 22, 1896. }

Senate met pursuant to adjournment at 10:05 A. M., President Parrott presiding.

Prayer was offered by Rev. H. W. Tilden, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Blanchard presented petition of J. B. Williams and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Rowen presented petition of J. J. Wood and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Rowen presented remonstrance of 942 citizens of Webster City, against passage of bill providing for the manufacture of intoxicating liquors in Iowa.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of sixty-nine citizens of Blairsburg on same subject.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of thirty-eight citizens of Stratford on same subject.

Referred to Committee on Suppression of Intemperance

Senator Rowen presented remonstrance of sixty-five citizens of Jewell Junction on same subject.

Referred to Committee on Suppression of Intemperance.

Senator Hospers presented memorial of Dunlap Post, G. A. R., relating to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Bell presented petition of A. B. Scott and others, relating to the control of express companies.

Referred to Committee on Railways.

Senator Gilbertson presented petition of O. O. Donohue and others on the same subject.

Referred to Committee on Railways.

Senator Gilbertson presented petition of C. J. Thompson and others, relating to manufacturers' building on state fair grounds.

Referred to Committee on Agriculture.

Senator Rikken presented three petitions of F. M. White, A. K. Wensor and J. J. Williams and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Alexander presented petition of W. Elsom and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Cheshire presented memorial of Y. P. S. C. E. of University Place church against the manufacture of liquor.

Referred to Committee on Suppression of Intemperance.

Senator Sargent presented petition of W. C. Meisner and other druggists, relative to a change in the pharmacy law.

Referred to Committee on Pharmacy.

Senator Lothrop presented six petitions of citizens of Woodbury county asking an appropriation for a memorial hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Lothrop presented two petitions of citizens of Woodbury county, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Ericson presented petition of druggist of Boone against the passage of the House bill, subjecting them to the mulct tax.

Referred to Committee on Suppression of Intemperance.

Senator Funk presented petition of A. Gilmoor and others relating to the control of express companies.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 323, a bill for an act to amend section 16, chapter 60 of the acts of the Fifteenth General Assembly, relating to savings banks.

Read first and second time and referred to Committee on Banks and Banking.

By Senator Trewin, Senate file No. 324, a bill for an act to provide for the manufacture and sale at wholesale of spirituous, malt and vinous liquors.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Senator Trewin, Senate file No. 325, a bill for an act to regulate the method of taking testimony by deposition.

Read first and second time and referred to Committee on Code Revision.

By Senator Berry, Senate file No. 326, a bill for an act to amend section 3106, Code of 1873, relating to the terms of redemption of lands from execution sale.

Read first and second time and referred to Committee on Judiciary.

The following excuses were asked:

Senator Alexander for Senator Young, Senator Hurst for Senator Hipwell, Senator Berry for Senator Harriman until Monday, Senator Funk for Senator Ellis, Senator Healy for Senator Carpenter, Senator Trewin for Senators Ellison and Upton, Senator Penrose for Senator Carney, Senator Eaton for Senator Hobart.

Senator Harper was excused until Tuesday.

REPORT OF STANDING COMMITTEES.

Senator Henderson, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 311, a bill for an act for the protection of game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

G. W. HENDERSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 285, a bill for an act to amend chapter 34 of the acts of the Twenty-third General Assembly, relating to the protection of fish, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. W. HENDERSON,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 31, a bill for an act defining fraternal beneficiary societies, orders or associations and regulating the same, beg leave to report that

they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 212, a bill for an act to amend section 2017 of the Code of Iowa, in regard to notice of landlord's lien to resisting creditors or subsequent purchasers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 209, a bill for an act to legalize the incorporation of the town of Earlham, Iowa, and subsequent action of the councils of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 154, a bill for an act to legalize the incorporation of the town of Whitten, Hardin county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of the said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title be amended by striking out the words "and to legalize" after the word "Iowa," and when so amended that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery company, of Manchester, Delaware county, Iowa, and the act of its officers in relation to continuation after expiration, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the following words in section 1: "And such as may be done up to the time of its next annual election and re-incorporation under the laws of Iowa as now existing," and when so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 135, a bill for an act to amend section 2008, chapter 8, title 12 of the Code of Iowa, relating to homesteads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 244, a bill for an act to provide for the auditing and payment of certain expenses of district judges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the following as section 2:

SEC. 2. This act being deemed of immediate importance, shall take effect and be enforced on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

And when so amended the same do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 241, a bill for an act legalizing the acts of the council of the town of Coin, Page county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title be amended by striking out the words "and legalizing the" after the word "Iowa," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 129, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 288, a bill for an act limiting the liabilities of lessees in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 142, a bill for an act to define and punish the crime of desertion, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 48, a bill for an act to amend section 492, relating to the proof of ordinances, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 37, a bill for an act to authorize cities to acquire real estate within and without their territorial limits for the purpose of outlets for sewers and pay for the same out of the general fund of the city, or out of the sewer fund of the sewer district of which the same is the outlet, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 72, a bill for an act to provide for the publication of the annual proceedings of the Iowa State Dairy association, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, after the following amendments are made: In section 2, line 20, strike out the word "each" after the word "copies;" in section 2, line 22, strike out the word "each" after the word "copies."

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 282, a bill for an act providing for farmers' institutes, the manner of maintaining and conducting the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, after the bill has been amended as follows: In section 1, line 7, strike out remainder of section after the word "station"; in line 2, section 2, after the word "the" and before the second "and" in line 3, change to read "Thursday preceding state fair annually"; in line 7, section 2, insert after the word "institute" the words "if not less than two days"; section 5, change "six" to "five" in line 3, strike out all after the word "dollars" in the same section, and add the words "annually or so much thereof as may be necessary"; in section 6, line 3, change "six" to "four"; in section 6, line 4, after the word "directors" insert "not exceeding \$4 per day and not more than fifty days in any one year."

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 191, a bill for an act to authorize the executive council to

sell and convey a part of the lands purchased by the state for the use of the Iowa State Agricultural society, in Polk county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass after it has been amended as follows:

Section 1, line 1, substitute the word "is" for the word "are;" in section 1, line 2, substitute the word "impowered" for "improved;" in line 10 strike out all after the word "society" down to the word "any;" in line 13 and substitute therefor, the words "such lands shall be purchased for the use of said agricultural society for the same purpose as those purchased under chapter 199 of the acts of the Twentieth General Assembly; in section 2, line 1, strike out the word "and;" in line 15, section 2, change the words "last mentioned piece" to "purchased lands;" in line 1, before the word "that" insert "section 1;" in line 7 before the word "said" insert "section 2;" add the following as section 3:

SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and compared Senate file No. 199, an act appropriating money to defray the expenses of the Inaugural ceremonies, and that they find the same correctly enrolled.

G. S. GILBERTSON.
Chairman.

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Hospers, Senate file No. 216, a bill for an act to amend section 1922 of the Code, and for the protection of married women, with report of committee, was taken up and considered.

Senator Mitchell moved to amend the report by striking out the publication clause.

Carried.

Report of committee as amended was adopted.

Senator Lothrop offered the following amendment:

Add after the word "signed" "and acknowledged," and at the end of section 1 add the words "and such instrument be recorded."

Lost.

Senator Berry offered the following amendment:

I move to amend by striking out the word "and" in the third line and insert after the word "sign" in the third line the words "and acknowledged the same jointly," and strike out the word "such" in fourth line.

Lost.

Senator Cheshire offered the following amendment:

I move to amend by inserting after the word "property" in the first line, as printed in the Senate Journal, the words "except for purchase money."

Lost.

Senator Hospers moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Carroll, Cheshire, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Healy, Henderson, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Waterman—30.

The nays were:

Senators Blanchard, Bonson, Byers, Eaton, Mitchell, Ranck—6.

Absent or not voting:

Senators Craig, Carney, Carpenter, Druet, Ellis, Ellison, Gorrell, Harper, Harriman, Hipwell, Hobart, Lehfelddt, Upton, Young—14.

So the bill passed and the title was agreed to.

On motion of Senator Carroll, Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, with report of committee recommending a certain amendment, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Carroll moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carroll, Cheshire, Downey, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Healy, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Sargent, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carney, Carpenter, Craig, Druet, Ellis, Ellison, Gorrell, Harper, Harriman, Hipwell, Hobart, Hurst, Lehfelddt, Ranck, Rowen, Trewin, Upton, Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Funk, Senate file No. 274, by Funk, a bill for an act to legalize the town of Minnewaukon, Iowa, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Funk moved to amend the bill by striking out the publication clause.

Carried.

Senator Funk moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Byers, Carroll, Cheshire, Downey, Eaton, Ericson, Everall, Funk, Garst, Henderson, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Sargent, Trewin, Waterman—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bonson, Carney, Carpenter, Craig, Druet, Ellis, Ellison, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Lehfelddt, Ranck, Rowen, Upton, Young—20.

So the bill passed and the title was agreed to.

On motion of Senator Bell, Senate file No. 267, a bill for an act to legalize the action of the board of supervisors of Van Buren county, with report of committee recommending certain amendments, and when so amended the bill do pass, was taken up, considered and the report of the committee adopted.

Senator Bell moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Byers, Carroll, Cheshire, Downey, Eaton, Ericson, Everall, Funk, Garst,

Henderscn, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Riggen, Rowen, Sargent, Waterman—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bonson, Carney, Carpenter, Craig, Druet, Ellis, Ellison, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Lehfeldt, Pusey, Trewin, Upton, Young—20.

So the bill passed and the title was agreed to.

Senator Rowen offered the following and asked to have it printed in the Journal:

I was at Fort Madison on legislative business when Senate file No. 65, known as the anti-combine insurance bill, was passed, and wish to say in the Journal record that I would have voted "yea" on said bill had I been present.

J. E. ROWEN.

The Journal of Friday was read, corrected and approved.

Senator Waterman moved that the Senate adjourn until 11 o'clock A. M., Monday.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, February, 24, 1896. }

Senate met in regular session at 11 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Enoch Hill, of Mitchellville, Iowa.

PETITIONS AND MEMORIALS.

Senator Carroll presented petition of J. B. Maring and others, asking passage of Senate file No. 122, relating to peddlers' license.

Referred to Committee on Ways and Means.

Senator Rowen presented remonstrance of Edwin Ewell and others, against passage of manufacturers' bill.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of T. W. Wilson and others on the same subject.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of H. R. Veeder and others on the same subject.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of H. R. Howard and others on same subject.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of S. D. Kennedy and others on same subject.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of T. Cutter and others on the same subject.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented remonstrance of H. G. Foukes and others on the same subject.

Referred to Committee on Suppression of Intemperance.

Senator Kilburn presented petition of J. L. Moyer and others, relating to the control of express companies.

Referred to Committee on Railways.

Senator Kilburn presented remonstrance of G. D. Whittum and others against Senate file No. 160, relating to change in school districts.

Referred to Committee on Schools.

Senator Kilburn presented remonstrance of S. S. Middleton and others on same subject.

Referred to Committee on Schools.

Senator Pusey presented petition of John Radwell and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Gorrell presented petition of ex-Senator Engle and others to prevent pooling by fire insurance companies, and asked that it be read and returned.

Senator Lothrop presented several petitions of citizens of Sioux City, relative to inspection of meat and milk products.

Referred to Committee on Public Health.

Senator Junkin presented petition of Frank Hall and others in relation to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Ericson presented petition of John Evanson and others, relating to express companies.

Referred to Committee on Railways.

Senator Trewin presented petition of C. S. Dewey and others on same subject.

Referred to Committee on Railways.

Senator Carpenter presented petition of John H. Munroe and others, relating to passage of Senate file No. 239, relating to the practice of medicine.

Referred to Committee on Public Health.

Senator Everall presented petition of Hiram Steele Post, G. A. R., relating to Memorial Hall.

Referred to Committee on Military.

Senator Funk presented petition of John Canfield and others relating to control of express companies.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Bell, Senate file No. 327, a bill for an act regulating the hours within which children under fifteen years of age may lawfully be upon the streets of cities, towns and villages.

Read first and second time and referred to Committee on Schools.

By Senator Carroll, Senate file No. 328, a bill for an act to protect guests of hotels or inns.

Read first and second time and referred to Committee on Public Health.

By Senator Funk, Senate file No. 329, a bill for an act to improve the public highways of the state by encouraging the use of wide tires upon wagons used for carrying heavy loads.

Read first and second time and referred to Committee on Highways.

By Senator Hotchkiss, Senate file No. 330, a bill for an act authorizing cities, counties and townships and other municipal corporations to take and hold gifts or bequests and to manage the same.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Hotchkiss, Senate file No. 331, a bill for an act to amend section 5331 of McClain's Code regarding the uses of bodies for medical and surgical study.

Read first and second time and referred to Committee on Public Health.

By Senator Blanchard, Senate file No. 332, a bill for an act to amend section 3106 of the Code of 1873, relating to redemption of real estate from execution sales.

Read first and second time and referred to Committee on Judiciary.

Senator Lothrop asked an excuse for Senator Upton, Senator Trewin for Senator Ellison, Senator Carpenter for Senator Blanchard until Tuesday, Senator Penrose for Senator Carney until Tuesday.

REPORT OF STANDING COMMITTEE.

Senator Cheshire, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 287, a bill for an act to amend section 2529 of the Code of 1873, in relation to the limitation of actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that when so amended it do pass:

SECTION 1. That section 2529 of the Code of 1873 be amended by striking out of the last line of sub-division 6 of said section the words "within twenty years" and adding thereto the following, "after fifteen years and within twenty years from the date of the rendition of the judgment."

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House Joint Resolution No. 5, relative to gambling in future prices in country products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Federal Relations.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county fund and county bridge fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended it do pass.

SECTION 1. Any county in this state that now has a surplus in its county road fund which is not needed for the purpose for which it was levied, and in the judgment of the board of supervisors of such county will not be needed for such purpose until such time as such county road fund shall be replenished by the receipt of taxes then due or thereafter to become due, the board of supervisors of such county may transfer said surplus or so much thereof as shall by the said board seem best to the county fund, or the county bridge fund, for the use and benefit of such fund. *Provided*, that this section shall apply only to such counties as have levied said county road tax and collected the same in the incorporated towns and cities as well as the territory outside of said cities.

L. A. ELLIS,
Chairman.

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Rowen, Senate file No. 154, was stricken from the Calendar.

On motion of Senator Lothrop, Senate file No. 152, a bill for an act repealing section 3630 of the Code, relating to special constables, with report of committee recommending that the bill be indefinitely postponed, was taken up.

Senator Lothrop moved that the report of the committee be not concurred in.

Lost.

Report of committee adopted.

Senate file No. 153, a bill for an act to amend section 8814, chapter 3, title xxiii of the Code, relating to witness fees, with

report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

Senator Lothrop moved that the report of committee be not concurred in.

Lost.

Report of committee was adopted.

On motion of Senator Kilburn, Senate file No. 40, a bill for an act to provide text books, with report of committee recommending a substitute, and when adopted that the bill do pass, was taken up.

Senator Terwin offered the following amendment:

SECTION 6. The electors may, at an election called as herein provided, direct the board to discontinue the loaning of text books to pupils.

Adopted.

Senator Kilburn moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Trewin moved that the time of adjournment be extended five minutes.

Carried.

The Journal of Saturday was read, corrected and approved. Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, February 25, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Hobart presented petition of the citizens of Plymouth county, asking that Senate file No. 252 be indefinitely postponed.

Referred to Committee on Banks.

Senator Pusey presented remonstrances of Hon. E. Peake, L. G. Saunders, W. A. Swanson, Hy Hagedon, G. H. Croker, Ross Moffitt, F. L. St. John and others against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Upton presented remonstrance of C. C. Coutant and others on same subject.

Referred to Committee on Banks.

Senator Upton presented petition of Memorial Post, G. A. R., in relation to Memorial Hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Upton presented memorial of Memorial Post, G. A. R., No. 216, favoring February 22 as a legal holiday.

Referred to Committee on Judiciary.

Senator Everall presented four remonstrances of citizens of Clayton county against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Ellis presented two remonstrances of citizens of Clinton county on the same subject.

Referred to Committee on Banks.

Senator Phelps presented remonstrance of Doty & Thayer and others on same subject.

Referred to Committee on Banks.

Senator Ranck presented four remonstrances of O. M. Latta, T. H. Tuomey, P. H. Fluck and Eli Fourton on same subject.
Referred to Committee on Banks.

Senator Ranck presented petition of W. P. Johnson and others for additional normal schools.

Referred to Committee on Schools.

Senator Ranck presented remonstrance of T. E. Rawlings and others, against the passage of Senate file No. 252, and asked to have it read.

Referred to Committee on Banks.

Senator Carney presented three remonstrances of O. S. Ketchum, L. U. Hyatt, J. M. Wilson and others on same subject.
Referred to Committee on Banks.

Senator Druet presented remonstrance of D. A. Curtis and others on same subject, and asked its return.

Senator Byers presented remonstrance of Landon Horner and others, relating to express companies.

Referred to Committee on Banks.

Senator Waterman presented two remonstrances of Clark & Mollison, I. S. Riggs and others, against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Bell presented five remonstrances of R. R. Jacobs, T. C. Jackson, A. S. Williams, John S. Pepper, Ed. N. Crumley and others on same subject.

Referred to Committee on Banks.

Senator Druet presented remonstrance of H. R. Schermerhorn and others, relating to age of consent.

Referred to Committee on Judiciary.

Senator Ericson presented remonstrance of G. N. Whipple and others against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Lothrop presented remonstrance of E. E. Crody and others on same subject.

Referred to Committee on Banks.

Senator Funk presented memorial of physicians of Spencer, Iowa, relating to duties and power of the state dairy commissioner and asked that it be read.

Referred to Committee on Pharmacy.

Senator Phelps presented four remonstrances of E. S. Phillips, J. Stoadt, P. S. Southwick, Chris Ross and others against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Garst presented remonstrance of J. H. Hillis and others on same subject.

Referred to Committee on Banks.

Senator Trewin presented remonstrance of John O'Brien and others on same subject.

Referred to Committee on Banks.

Senator Trewin presented petition of Wm. Shepherd and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Gilbertson presented remonstrance of F. R. Place and others against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Palmer presented petition of J. T. Matthews and others, in favor of additional normal schools.

Referred to Committee on Schools.

Senator Palmer presented two remonstrances of J. O. Elder, L. P. Jackson and others, against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Riggen presented five remonstrances of H. B. Westlake, W. S. Overman, Smith, Lewis & Co., F. E. Dunn M. A. Strock and others on same subject.

Referred to Committee on Banks.

Senator Healy presented remonstrance of Geo. E. Clark and others on same subject.

Referred to Committee on Banks.

Senator Hipwell presented remonstrance of W. E. Owen and others on same subject.

Referred to Committee on Banks.

Senator Hipwell presented petition of C. T. Lindley and others in favor of passage of Senate file No. 1.

Referred to Committee on Judiciary.

Senator Harriman presented petition of Mrs. Catherine Wilson and others, relating to permits to pharmacists.

Referred to Committee on Pharmacy.

Senator Kilburn presented remonstrance of Douglass Debord and others against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Downey presented remonstrance of A. E. Matters and others on same subject.

Referred to Committee on Banks.

Senator Gorrell presented two remonstrances of J. A. Laird, Manchester office and others on same subject.

Referred to Committee on Banks.

Senator Rowen presented petition of Winfield Scott Post, G. A. R., for an appropriation for Soldiers' Home at Marshalltown and asked that it be read.

Referred to Committee on Military.

Senator Perrin presented remonstrance of E. A. Tealing and others against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Allyn presented two remonstrances of W. S. Badge, J. F. Overholser and others on same subject.

Referred to Committee on Banks.

Senator Berry presented petition of C. R. Scroggs, asking permit to build electric railways on highways.

Referred to Committee on Highways.

Senator Berry presented remonstrance of G. B. Woodard and others against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Carney presented petition of W. M. Sloan and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Carroll presented remonstrance of N. C. Blackburn and others against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Hotchkiss presented four remonstrances of H. Fuller, O. P. Wilcox, M. Johnson, B. Battey and others against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Hotchiss presented petition of W. E. Thorp and others, relating to normal schools.

Referred to Committee on Educational Institutions.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 333, a bill for an act making appropriations for paving the streets and repairing the sidewalks adjacent to capitol grounds.

Read first and second time and referred to Committee on Appropriations.

By Senator Mitchell, Senate file No. 334, a bill for an act to repeal a part of section 4 of chapter 170 of the acts of the Nineteenth General Assembly, and chapter 52 of the acts of

the Twenty-first General Assembly, and chapter 98 of the acts of the Twenty-second General Assembly, and sections 4, 5, 6, 7 and 8 of chapter 50 of the acts of the Twenty-fourth General Assembly, and chapters 46 and 47 of the acts of the Twenty-fifth General Assembly, all relating to the state dairy commission and dairy products, and imitations and adulterations thereof and to enact substitutes therefor.

Read first and second time and referred to Committee on Agriculture.

By Senator Penrose, Senate file No. 335, a bill for an act to amend section 3, chapter 134, of the acts of the Twenty-first General Assembly, to transfer Marshall county from the Eleventh to the Seventeenth judicial district, and to provide for another judge.

Read first and second time and referred to Committee on Congressional and Judicial Districts.

By Senator Ellis (by request), Senate file No. 336, a bill for an act to legalize the annexation of Lyons City to the city of Clinton, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Ranck, Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporated town of Williamsburg, in Iowa county, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Ranck, Senate file No. 338, a bill for an act to amend section 1740 of the Code, relating to schools and employment of counsel by president of board of directors.

Read first and second time and referred to Committee on School and Text Books.

Senator Gorrell moved that 100 copies of Senate file No. 68, with amendments, be printed.

Carried.

On request of Senator Cheshire leave of absence was granted Senator Harper until Wednesday.

The following communication from the Governor was read:

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, Iowa, February 25, 1896.

To the Senate and House of Representatives:

It is incumbent on me to inform the General Assembly that a vacancy exists in the board of trustees of the Hospital for the Insane at Mount Pleasant, by reason of the death of Samuel Klein, of which mournful event I am officially advised by the secretary of the board.

F. M. DRAKE.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 274, a bill for an act to provide for holding terms of the district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the State of Iowa, defining the territorial jurisdiction of said court, restricting that of the corresponding court to be held at Sioux City, in said county of Woodbury.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 78, a bill for act to amend sections 1 and 2 of chapter 79 of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution, in which the concurrence of the House was asked, relative to the reports of the Iowa geological survey.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 315, a bill for an act to provide for an act to provide for the payment of the mileage of the committees appointed to visit the state institutions.

JAMES D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

House file No. 274, a bill for an act to provide for holding terms of district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the State of Iowa, defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held at Sioux City, in said county of Woodbury, was read first and second time and referred to Committee on Judiciary.

The Senate concurrent resolution in which the House concurred, relative to the reports of the Iowa geological survey was passed on file.

REPORT OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 217, a bill for an act changing the burden of proof of contributory negligence in certain cases, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

MINORITY REPORT ON SENATE FILE NO. 217.

MR. PRESIDENT—The undersigned members of the Committee on Judiciary most respectfully dissent from the majority report of the committee on Senate file No. 217. We think the bill should have been reported back with the recommendation that it do pass, for the following reasons:

First.—It is illogical to require the plaintiff in personal injury suits to prove he was free from negligence. The law of self preservation should create the presumption that he acted as a person of ordinary care and caution.

Second.—The defendant should be required to plead and prove that plaintiff was guilty of contributory negligence.

Third.—It should be sufficient for plaintiff to prove, first, the injury, and second, that defendant was guilty of negligence.

Fourth.—The great weight of authority is in favor of placing the burden of proving such contributory negligence of plaintiff upon the defendant. The supreme court of Pennsylvania, Missouri, Wisconsin, Kentucky, Maryland, Kansas, Alabama, Minnesota, New Jersey, California and the supreme and circuit courts of the United States all hold in favor of the proposition for which we contend.

Fifth.—If this rule is established in Iowa, the holdings of our state and federal courts would be uniform.

THOS. A. CHESHIRE,
THOS. D. HEALY,
C. C. UPTON.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 307, a bill for an act to amend section 1433 of the Code, relating to care of insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that when so amended that it do pass:

SUBSTITUTE FOR SENATE FILE NO. 307.

A bill for an act to amend section 1433 of the Code, relating to care of the insane.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1433 of the Code of Iowa be and the same is hereby amended by adding thereto the following:

The estates of all insane or idiotic persons, and all persons legally bound for the support of such persons, who may be treated in any county asylum or poorhouse other than the state hospitals for the insane within the state, shall be liable to the county furnishing such treatment, sustenance and supplies for the reasonable value thereof, which value shall be determined in the first instance by the board of supervisors.

L. A. ELIAS,
Chairman.

Ordered passed on file.

Senator Rikken. from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate file No. 226, a bill for an act to amend chapter 71 of the acts of the Twenty-second General Assembly, relating to the sale of liquors by pharmacists, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

Insert after the word "section" in the first line the words "two" (2) of chapter 35 of the acts of the Twenty-second General Assembly be amended by inserting after the word "liquors" in the sixth line "not including malt except ale and porter."

And when so amended that the bill do pass.

J. A. RIGGEN,
Chairman.

Ordered passed on file.

Senator Henderson, from the Committee on Fish and Game, asked the return of Senate file No. 285 to the committee for further consideration.

BILLS ON THIRD READING.

Consideration of Senate file No. 40 was resumed, Senator Trewin having the floor.

Senator Everall offered the following amendment:

Strike out the word "ten" in section 1 and insert the word "twenty."

Senator Waterman moved to amend the amendment by striking out the word "twenty," and inserting the words "one-third or more of the legal voters."

On this a division was called and the amendment to the amendment prevailed.

Senator Waterman offered the following as a substitute for the amendment:

Strike out "ten or more legal voters" in the first line of section 1 and insert "one-third of the resident freehold taxpayers."

On this a division was called and the substitute was lost.

Senator Upton moved the previous question.

On the motion shall the previous question be put, a division was called and the motion was lost.

Senator Ellis offered the following amendment:

Insert immediately after the words "one-third or more of the legal voters" the words "to be determined by the school board."

Adopted.

Senator Carroll moved that the time of adjournment be extended ten minutes.

Carried.

The motion that the rule be suspended, the bill be considered engrossed and read a third time now, prevailed.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—39.

The nays were:

Senators Blanchard, Byers, Carpenter, Craig, Lothrop, Waterman—6.

Absent or not voting:

Senators Alexander, Harper, Harriman, Hipwell, Lehfeldt—5.

So the bill passed and its title was agreed to.

Senator Palmer, from the Committee on Agriculture, asked that House file No. 191 and Senate file No. 282 be returned to the Committee on Agriculture for further consideration.

Senator Ellis moved that the recommendations relative to Joint Resolution No. 5, as made by the Committee on Judiciary, be adopted.

Carried.

Senator Carpenter called up for consideration his motion to reconsider his vote by which Senate file No. 29 was lost.

Carried.

The motion to reconsider prevailed.

Senator Carpenter moved to recommit the bill to the Committee on Elections.

Carried.

The Journal of yesterday was read, corrected and approved. Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, February 26, 1896. }

Senate met in regular session at 10 o'clock, A. M., President Parrott presiding.

Prayer was offered by Rev. J. R. Johnson, of Delphos, Iowa.

PETITIONS AND MEMORIALS.

Senator Hotchkiss presented memorial of Maxwell Post No. 14, G. A. R., relative to Memorial Hall, and asked to have it read.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Hotchkiss presented petition of S. L. Ward and others, relating to fraternal beneficiary societies

Referred to Committee on Judiciary.

Senator Pusey presented petition of W. S. Paulson and others, relative to certain amendments to the school laws.

Referred to Committee on Schools.

Senator Pusey presented petition of Abe Lincoln Post, G. A. R., relative to appropriation for Soldiers' Home and Historical building.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Ellison presented petition of A. P. Norton and others in regard to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Penrose presented petition of A. L. Maxwell and others for control of express companies.

Referred to Committee on Railways.

Senator Ericson presented petition of O. N. Patterson and others for control of express companies.

Referred to Committee on Banks

Senator Junkin presented petition of C. N. Preston and others in regard to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Harriman presented remonstrance of F. B. Smith and others, against Senate file No. 252.

Referred to Committee on Banks.

Senator Harriman presented remonstrance of T. Forker and others against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Byers presented remonstrance of J. H. Varney and others on same subject.

Referred to Committee on Banks.

Senator Blanchard presented remonstrance of E. C. Evans and others on same subject.

Referred to Committee on Banks.

Senator Lothrop presented remonstrance of James F. Taylor and others, against Senate file No 252.

Referred to Committee on Banks.

Senator Lothrop presented remonstrance of E. Wilcot and others, against the passage of House file No. 274, and asked that it be read.

Referred to Committee on Judiciary.

Senator Lothrop presented remonstrance of G. W. Mead, G. W. Hoskins, W. H. Adams, mayor and council of town of Smithland and others on same subject.

Referred to Committee on Judiciary.

Senator Lothrop presented remonstrance of G. W. Murphy and others on same subject, and asked to have it read.

Referred to Committee on Judiciary.

Senator Lothrop presented remonstrance of mayor and city council of towns of Oto and Anthon on same subject.

Referred to Committee on Judiciary.

Senator Riggen presented memorial of citizens of Sigourney and Ottumwa, relative to minority report of Committee on Soldiers' and Sailors' Monument, and asked the reading thereof.

Referred to Committee on Military.

Senator Alexander presented two petitions of W. H. Barkley and others for control of express companies.

Referred to Committee on Railways.

Senator Alexander presented three petitions of William C. Wilson, D. W. Webb and W. H. Myers and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Palmer presented remonstrance of G. W. Harding and 421 others against legalizing the manufacture of liquors in Iowa.

Referred to Committee on Suppression of Intemperance.

Senator Palmer presented petition of D. J. Farris and 351 others, in favor of resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Funk presented petition of Lund Bros. and others favoring control of express companies.

Referred to Committee on Railways.

Senator Sargent presented petition of H. H. Seerley and others for normal schools.

Referred to Committee on Educational Institutions.

Senator Gorrell presented remonstrances of A. Shoemaker, H. S. Burwell and others against passage of Senate file No. 252

Referred to Committee on Banks.

Senator Blanchard presented memorial of superintendent of schools of Mahaska county regarding Senate file No. 157, relative to qualification of county superintendent, and asked that it be read.

Referred to Committee on Schools.

Senator Ericson presented remonstrance of John Van Zant and others against House file No. 95, relating to tax of county bridges.

Referred to Committee on Ways and Means.

Senator Pusey presented remonstrance of R. J. Martin and others, against Senate file No. 252.

Referred to Committee on Banks.

President Parrott presented memorial of Des Moines Ministerial association, relative to Curfew law.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 339, a bill for an act to amend section 1324 of the Code of Iowa, as amended by chapter 104, acts of the Nineteenth General Assembly, relating to control of telegraph and telephone lines.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Cheshire, Senate file No. 340, a bill for an act to amend section 1, chapter 16, acts of the Twenty-second General

Assembly, relating to powers of cities and towns of the first and second class having over 7,000 population.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Funk, Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes in Dickinson county to be public navigable waters, and to provide for their preservation and improvement for navigation for the benefit of the public health and for the culture of fish therein.

Read first and second time and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 342, a bill for an act to repeal section 6, chapter 43, of the acts of the Twenty-third General Assembly, relating to compensation of justices of the peace and peace officers.

Read first and second time and referred to Committee on Judiciary.

By Senator Kilburn, Senate file No. 343, a bill for an act to repeal a part of section 114 of the Code of 1873 in relation to the census.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Penrose, Senate file No. 344, a bill for an act granting to city and town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Phelps, Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of its council.

Read first and second time and referred to Committee on Judiciary.

By Code Revision Committee, Senate file No. 346, a bill for an act defining the duties of the Attorney-General of the state, and fixing the compensation of the same.

Read first and second time, passed on file and placed on the Calendar.

By Senator Carpenter, Senate file No. 347, a bill for an act to legalize the ordinances of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his

associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinances.

Read first and second time and referred to Committee on Judiciary.

By Senator Harriman, by request, Senate file No. 348, a bill for an act authorizing employment of persons in penitentiaries for improvement of highways.

Read first and second time and referred to Committee on Highways

CONCURRENT RESOLUTION.

Senator Henderson offered the following concurrent resolution, relative to adjournment, and asked that it be laid over:

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives of the Twenty-sixth General Assembly shall each declare their respective Houses adjourned sine die on Thursday, April 2, 1896, at 12 o'clock noon.

Laid over.

HOUSE MESSAGES.

House file No. 78, a bill for an act to amend sections 1 and 2 of chapter 79 of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine, was read first and second time and referred to Committee on Agriculture.

Senate file No. 315, a bill for an act to provide for an act to provide for the payment of the mileage of the committees appointed to visit the state institutions, was passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Hospers, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 299, a bill for an act requiring corporations receiving deposits or doing a banking business under the laws of Iowa to keep a certain per cent of their deposits as a reserve fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY HOSPERS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks to whom was referred Senate file No. 252, a bill for an act to define and regulate banks and

bankers, and to subject persons, associations, co-partnerships and corporations, who may be engaged in conveying property for hire, and who may sell drafts, checks, receipts or orders for money, to the provisions thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY HOSPERS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 300, a bill for an act to amend section 3, chapter 75 of the acts of the Twenty-first General Assembly in relation to state banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY HOSPERS,
Chairman.

Ordered passed on file.

Senator Eaton, from the Committee on Building and Loan Association submitted the following report:

MR. PRESIDENT—Your Committee on Building and Loan, to whom was referred Senate files Nos. 13, 54, 164, 169, 191 and 232, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the Committee bill filed herewith be substituted for said bills, and that the substitute do pass.

WILLIAM EATON,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 165, a bill for an act to fix the amount of civil damage for making and selling adulterated foods and drinks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 168, a bill for an act to amend section 2527 of McClain's Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. R. GORRELL,
Chairman.

Ordered passed on file.

MINORITY REPORT ON SENATE FILE NO. 168.

Amendment to Senate file No. 163 by minority of Committee on Public Health.

MR. PRESIDENT—Your Committee on Public Health, in its minority, to whom was referred Senate file No. 168, a bill for an act to amend section 5, chapter 75 of the acts of the Eighteenth General Assembly, in relation to registered pharmacists, beg leave to report that they have had the same under consideration, and the minority beg leave to report that the bill be amended by adding the following:

SEC. 3. No physician registered by virtue of this act, shall sell any intoxicating liquors, or dispense or compound the prescriptions of any other physician.

SEC. 4. The provisions of this act shall not apply to any physician practicing medicine in any city or town where there is a drug store conducted by a registered pharmacist.

And that when so amended the bill do pass.

S. DRUET,
J. R. GORRELL.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 177, a bill for an act relative to the governing of plumbing and plumbers in all cities and towns having water supply and sewerage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted and when so adopted the bill do pass:

SUBSTITUTE FOR SENATE FILE NO. 177.

A bill for an act empowering cities and towns having water supply and public sewers to regulate plumbing connected with said sewers.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That incorporated towns and cities of this state, whether organized and acting under special charter, or organized under the general laws of the state, which have a water supply and public sewers, shall have the power, by ordinance, to prescribe rules and regulations for all plumbing connecting any building of any description with such sewers, and may prescribe the kinds and size of materials to be used in such plumbing, and the manner in which such plumbing shall be done. They shall also have the power to appoint an inspector of such plumbing and define his duties and powers, and may prescribe penalties for the violation of such ordinance.

SEC. 2. Nothing herein shall be construed as authorizing such cities and towns to interfere with or annul any rules or regulations relating to such plumbing made by the local or state board of health, but such ordinance shall conform to and enforce any such rules or regulations which have been or shall be made by such boards of health.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was re-referred Senate file No. 200 (upon request of members of said committee), a bill for an act amending chapter 152 of the acts of the Eighteenth General Assembly of the State of Iowa, relating to the State Board of Health, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the report of said committee upon said bill, as reported to the Senate, February 19, 1896, be the report of this committee, and that the same do stand.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 74, a bill for an act to amend chapter 104 of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 161, a bill for an act to establish and maintain five normal schools for the instruction and training of teachers, and to provide for the location of such schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section 7 the following: *Provided*, that one of said schools shall be located within the territory comprised of the following counties, viz.: Marion, Mahaska, Keokuk, Washington, Louisa, Lucas, Monroe, Wapello, Jefferson, Henry, Des Moines, Wayne, Appanoose, Davis, Van Buren and Lee.

One within the territory comprised of the following counties, viz.: Harrison, Shelby, Audubon, Guthrie, Pottowattamie, Cass, Adair, Madison Warren, Mills, Montgomery, Adams, Union, Clarke, Fremont, Page, Taylor, Ringgold and Decatur.

One within the territory to be comprised of the following counties, viz.: Lyon, Osceola, Dickinson, Emmet, Sioux, O'Brien, Clay, Palo Alto, Plymouth, Cherokee, Buena Vista, Pocahontas, Woodbury, Ida, Sac, Calhoun, Monona, Crawford and Carroll.

One within the territory comprised of the following counties, viz.: Kossuth, Winnebago, Worth, Hancock, Cerre Gordo, Humboldt, Wright, Franklin, Webster, Hamilton, Hardin, Greene, Boone, Story, Dallas and Polk.

And one within the territory composed of the following counties, viz : Marshall, Tama, Benton, Linn, Jones, Jackson, Jasper, Poweshiek, Iowa, Johnson, Cedar, Clinton, Muscatine and Scott.

And when so amended that the bill do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Penrose, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 242, a bill for an act to amend section 1309 of the Code of Iowa in relation to judgment liens against railway corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. G. PENROSE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 292, a bill for an act to tax express companies, regulating such taxation and releasing certain taxes herein named, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

E. G. PENROSE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 199, a bill for an act appropriating money to defray expenses of the Inaugural ceremonies.

G. S. GILBERTSON,
Chairman.

Also:

Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 226, a bill for an act to amend section 1, chapter 171, of the acts of the Twenty-first General Assembly, providing for levy of tax for fire purposes.

G. S. GILBERTSON,
Chairman.

REPORTS OF COMMITTEES.

Senator Hobart, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873 and to amend section 4783 of the Code as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to the salaries of certain officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

A. C. HOBART,

Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision beg leave to report the accompanying bill with the recommendation that the same do pass.

C. A. CARPENTER.

Chairman.

Ordered passed on file.

Senator Eaton asked that 500 copies of committee substitute for building and loan bills be printed.

The substitute from the Committee on Building and Loan was made a special order for next Wednesday at 10:30 o'clock A. M.

Senator Penrose moved that the report of the Committee on Railways, recommending that Senate file No. 292 be referred to Committee on Ways and Means, be adopted.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 400, a bill for an act to amend section 2 of chapter 3 of the acts of the Fifteenth General Assembly, relating to the pay of Chaplains of the General Assembly.

JAMES D. ROWEN,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in the following concurrent resolution in which the concurrence of the House was asked, relative to the introduction of bills.

JAMES D. ROWEN,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Resolved, by the House of Representatives, the Senate concurring, That the Governor be and he is hereby requested to return to the House of Representatives House Joint Resolution No. 6, relating to the payment of Chaplains.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON THIRD READING.

On motion of Senator Rowen, Senate file No. 9, a bill for an act to amend section 3861 of the Code, relative to offenses against the life and person, with report of committee, by its majority, recommending a substitute, and that when the same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire offered the following amendment: Strike out the word "sixteen" in the first line, and insert in lieu thereof the word "eighteen."

Senator Everall moved that the time of adjournment be extended thirty minutes, or until this question is disposed of.

On this question a division was called, and the motion prevailed.

Senator Waterman moved the previous question.

Carried.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Everall, Garst, Gilbertson, Gorrell, Healy, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Pusey, Ranck, Rigger, Sargent, Trewin—32.

The nays were:

Senators Carney, Carpenter, Eaton, Ellis, Funk, Harriman, Henderson, Hobart, Kilburn, Mitchell, Perrin, Phelps, Rowen, Upton, Waterman, Young—16.

Absent or not voting:

Senators Harper and Lehfelddt—2.

So the amendment was adopted.

Senator Rowen moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—47.

Senator Pusey voted in the negative.

Absent or not voting:

Senators Lehfeltdt and Harper—2.

So the bill passed and its title was agreed to.

Senator Pusey offered the following explanation of his vote and asked that it be printed in the Journal:

MR. PRESIDENT—The age of consent bill now under consideration raises the prostitute to the same plane with the pure girl, if it can be truly said that an unmarried female under the age of 16 years who consents to sexual intercourse is a pure girl. The bill does not allow, either by way of defense or in mitigation of the punishment, the introduction of evidence showing the previous unchaste character of the female, or that her appearance at the time was such as to afford a reasonable belief in the defendant that she was over 16 years of age, or of declarations by her, made before the act and known to the defendant to the effect that she was over 16 years of age, or of conduct on her part inviting or inducing the defendant to commit the act complained of. While the bill lodges a discretion in the court, in some instances, with respect to the punishment, all evidence upon which it can intelligently exercise its discretion is carefully excluded. The bill seems to make no distinction between sexual intercourse procured by seductive influences and that procured by free consent of the female.

For these and other reasons which might be stated, I vote no.

Senator Kilburn offered the following explanation of his vote, and asked that it be printed in the Journal:

"I am not satisfied with the bill, believing that it does not come up to the demands of the people of the state, but I vote for it as a step in the right direction."

Senator Rikken asked to have 200 copies of the substitute for Senate file No. 177 printed.

The Journal of Tuesday was taken up, read, corrected and approved.

Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, February 27, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. C. M. Williams, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Hotchkiss presented remonstrance of citizens of Dallas county, against the passage of a manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Hotchkiss presented petition of citizens of Dallas county, in favor of submission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Garst presented remonstrance of citizens of Greene county, against the passage of manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Garst presented petition of George M. Parker and others in favor of Senate file No. 239.

Referred to Committee on Pharmacy.

Senator Kilburn presented remonstrance of J. H. Mack and others against manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Carney presented petition of H. C. Hansen and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Carroll presented petition of citizens of Appanoose county in favor of resubmission.

Referred to Committee on Suppression of Intemperance.

Senator Rigger presented petition of William Seydell and others for resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Rigger presented remonstrance of C. C. Currier and others against manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Ellison presented memorial of William Beaver Post, G. A. R., in favor of appropriation for Soldiers' Home at Marshalltown, and asked to have it read. Withdrawn to present in the House.

Senator Hobart presented memorial of Cherokee Farmers' Institute, relating to control of express companies.

Referred to Committee on Railways.

Senator Hobart presented memorial of Cherokee Farmers' Institute, relating to mutual insurance companies.

Referred to Committee on Insurance.

Senator Trewin presented petition of L. Humphrey and others for control of express companies.

Referred to Committee on Railways.

Senator Mitchell presented two petitions of J. R. Standley and J. W. Jones and others on same subject.

Referred to Committee on Railways.

Senator Mitchell presented remonstrance of C. L. Baxter and others against manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Perrin presented petition of G. L. Hanscom and others for resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Byers presented remonstrance of E. K. Clark and others against Senate file No. 252.

Referred to Committee on Banks.

Senator Lothrop presented several remonstrances against Correctionville court.

Referred to Committee on Judiciary.

Senator Ericson presented remonstrance of T. L. Fleckinger and others against Senate file No. 252.

Referred to Committee on Banks.

Senator Alexander presented petition of J. B. Lee and others for resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Alexander presented remonstrance of J. B. Lee and others against passage of manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Young presented remonstrance of J. R. Morrison and others against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Young presented petition of W. M. Robe and others for control of express companies.

Referred to Committee on Railways

Senator Young presented petition of H. A. Heacock and others on same subject.

Referred to Committee on Railways.

Senator Sargent presented petition of C. A. Wire and others in favor of additional normal schools.

Referred to Committee on Educational Institutions.

Senator Allyn presented petition of C. A. Neimeyer and others to amend the Mulct law.

Referred to Committee on Suppression of Intemperance.

Senator Carpenter presented remonstrance of D. J. Higby and others against manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Carpenter presented petition of J. E. McGrew and others, favoring resubmission of prohibitory amendment.

Referred to Committee on Constitutional Amendments.

Senator Berry presented petition of J. E. Sandy and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Berry presented remonstrance of Thomas S. Parr and others against manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Hotchkiss presented petition of J. W. Weighton and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of S. E. Shaffer and others on same subject.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of W. G. Morgan and others, relating to resubmission.

Referred to Committee on Constitutional Amendments.

Senator Mitchell arose to a question of privilege, and called attention to a newspaper article purporting to give his position upon the age of consent bill, and said that the statements therein contained were not authorized by him; that what he had said was that the bill agreed upon fixed the age of the boy at 16, but it had been changed by the amendment to 18, and changed the whole bill.

INTRODUCTION OF BILLS.

By Senator Druet, Senate file No. 349, a bill for an act to make appropriation for Industrial Home for the Blind at Knoxville, Iowa.

Assembly, relating to powers of cities and towns of the first and second class having over 7,000 population.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Funk, Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes in Dickinson county to be public navigable waters, and to provide for their preservation and improvement for navigation for the benefit of the public health and for the culture of fish therein.

Read first and second time and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 342, a bill for an act to repeal section 6, chapter 43, of the acts of the Twenty-third General Assembly, relating to compensation of justices of the peace and peace officers.

Read first and second time and referred to Committee on Judiciary.

By Senator Kilburn, Senate file No. 343, a bill for an act to repeal a part of section 114 of the Code of 1873 in relation to the census.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Penrose, Senate file No. 344, a bill for an act granting to city and town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Phelps, Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of its council.

Read first and second time and referred to Committee on Judiciary.

By Code Revision Committee, Senate file No. 346, a bill for an act defining the duties of the Attorney-General of the state, and fixing the compensation of the same.

Read first and second time, passed on file and placed on the Calendar.

By Senator Carpenter, Senate file No. 347, a bill for an act to legalize the ordinances of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his

associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinances.

Read first and second time and referred to Committee on Judiciary.

By Senator Harriman, by request, Senate file No. 348, a bill for an act authorizing employment of persons in penitentiaries for improvement of highways.

Read first and second time and referred to Committee on Highways

CONCURRENT RESOLUTION.

Senator Henderson offered the following concurrent resolution, relative to adjournment, and asked that it be laid over:

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives of the Twenty-sixth General Assembly shall each declare their respective Houses adjourned sine die on Thursday, April 2, 1896, at 12 o'clock noon.

Laid over.

HOUSE MESSAGES.

House file No. 78, a bill for an act to amend sections 1 and 2 of chapter 79 of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine, was read first and second time and referred to Committee on Agriculture.

Senate file No. 315, a bill for an act to provide for an act to provide for the payment of the mileage of the committees appointed to visit the state institutions, was passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Hospers, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 299, a bill for an act requiring corporations receiving deposits or doing a banking business under the laws of Iowa to keep a certain per cent of their deposits as a reserve fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY HOSPERS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks to whom was referred Senate file No. 252, a bill for an act to define and regulate banks and

furnish to the commissioner of labor such reports or returns as may be required by the following blank shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$100 and costs of prosecution, or imprisonment in the county jail not exceeding thirty days:

BLANK.

Name of firm or corporation?..... Number of hands employed during year ending December 31?.....; males.....; females.....; apprentices..... Total amount of wages paid during year ending December 31? \$..... Total amount of wages paid previous year? \$..... Any general increase or reduction of wages during the past year? If so, what per cent. of increase or reduction?..... Cause of increase or reduction?..... Total value of business done during year ending December 31? \$..... What means are provided for the escape of employes in case of fire?..... What measures are taken to prevent accident to employes from machinery?..... How are buildings ventilated?..... Are different water closets and wash rooms provided for the different sexes?..... Number of weeks during past year business was run on full time with full force?..... Number of weeks during past year business was run on short time or with reduced force?..... Number of weeks past year business was suspended?..... Number of strikes during year ending December 31?.....; number involved.....; alleged cause.....; result..... How many days did strike continue and what was the loss of wages thereof?.....; value of property destroyed, if any? \$.....

Amend section 6, line 1, by striking out the words "or any officer of the bureau."

Amend section 7, line 1, by inserting after the word "commissioner" the words "or otherwise."

Amend section 9, line 2, by inserting after the word "expenses" the words "and shall be allowed a deputy at a salary of one thousand dollars per annum." Also amend line 4 by inserting after the word "duties" the words "not exceeding five hundred dollars per annum in the aggregate."

Strike off all marginal numbers used in numbering lines, all reference numbers and underlinings.

And when so amended that the same do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 103, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the bill do pass with the following amendments:

Amend the title to read as follows: "A bill for an act to codify the laws in relation to the election, terms of office and compensation of regents and trustees of state institutions."

Strike out the marginal figures, the figures and letters in brackets at the end of each section and the underscoring.

In section 1, line 3, before the word "university" insert the word "state;" in line 8 of the same section, after the word "insane," insert the word "and;" strike out the words "and the Soldiers' Home" in the same line; at the end of line 11 add "for the Soldiers' Home five trustees, to be appointed by the Governor by and with the consent of the Senate;" in line 8 of the same section strike out the word "six" and insert the word "five."

In section 6, line 2, strike out the word "congressional" and insert the word "senatorial."

In section 7, line 1, after the word "assembly," insert the words "or a person holding a state office."

In section 12, line 1, strike out the word "verified" and insert the words "and certified to by the president and secretary of the board and approved by the board."

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 140, a bill for an act to prevent the spread of disease among swine, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 313, a bill for an act to enable cities, towns or villages to levy and collect a tax or license fee from foreign fire insurance companies for the benefit of organized fire departments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 253, a bill for an act to amend section 454 of the

Code, relating to the powers of cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 10, a bill for an act to require the board of supervisors in each county to make annual appropriations for the different expenditures, not in excess of the legally authorized revenue, and to avoid liabilities when there are no funds to meet them, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that there be added at the end of section 2 thereof the following: “*Provided*, however, that nothing in this act shall prohibit the board of supervisors from issuing warrants or contracting indebtedness, to the extent now permitted by law, for the purpose of repairing or rebuilding county building or bridges damaged or destroyed during the year for which the appropriation is made,” and when so amended it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 132, a bill for an act to authorize cities to acquire real estate within and without their territorial limits, for the purpose of outlets for sewers, and pay for same out of the general fund of the city, or out of the sewer fund of the sewer district, of which the same is the outlets, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a similar House bill has been favorably reported.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Funk, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 303, a bill for an act to exempt crematoriums from taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the subject matter of the bill will be by this committee recommended for adoption as a part of the proposed Code.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 175, a bill for an act for the permanent support and maintenance of the State University and to provide for the erection of necessary buildings therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute be enacted in lieu thereof:

COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 175.

A bill for an act to provide by special tax for the erection of necessary buildings for the State University.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. For the purpose of providing for the erection, improvement and equipment of such necessary buildings as shall be determined upon by the board of regents of the State University, there shall be levied upon the assessed value of the taxable property of the state a special tax of one-tenth (1-10) of a mill for the erection of buildings for the State University, and the proceeds thereof shall be carried into the state treasury to the credit of said State University, said levy to commence with the first levy made after the passage of this bill, and the same levy shall be made annually thereafter for five years. Any amount in excess of the sum of fifty-five thousand dollars raised by any one of such levies shall be held in the state treasury and constitute a part of the general revenue fund.

SEC. 2. The money realized from such a levy shall be held by the treasurer of state and drawn as provided in chapter 31 of the acts of the Twenty-third General Assembly.

SEC. 3. The amounts so realized by said levies shall be in lieu of all appropriations for the erection of buildings for said State University during said period.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Perrin, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 150, a bill for an act to authorize and regulate the sale of intoxicating liquors in counties, cities and incorporated towns upon the vote of the electors thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WM. B. PERRIN,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 16, a bill for an act to provide for and regulate the administration of trusts by savings banks and trust companies, beg leave

to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and that the title be amended to read as follows: "To authorize all banks organized under the laws of this state to act in a fiduciary capacity," and when these amendments are adopted the bill do pass.

SUBSTITUTE FOR SENATE FILE NO. 16.

A bill for an act to authorize all banks organized under the laws of this state to act in a judiciary capacity.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. All banks organized under the laws of this state shall have power to act as assignee, receiver, trustee, administrator, executor and guardian of the property of minors and other persons where guardianship of property is authorized by law, with the same powers and duties, and subject to the same laws in force as to natural persons acting in the same capacity, and all oaths of qualification, or verification of reports, shall be by one of the executive officers of such bank; *provided*, that the stockholders of any such bank may determine whether the corporation shall exercise the corporate powers herein provided for.

SEC. 2. This act being deemed of immediate importance, shall be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 260, a bill for an act to amend section 1132 of the Code of Iowa as amended by chapter 29 of the laws of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 284, a bill for an act granting and releasing to the city of Dubuque title to certain lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 290, a bill for an act to amend section 3179 of the Code of 1873, relating to transcripts on appeal to the supreme court, beg leave to

report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Insert after the word "form" in the fifth line of the printed bill the words, "in lieu of transcript thereof when a transcript is required." Also add at the close of section 1 the following words: "In all cases the cost of making such translation of the shorthand notes shall be paid by the losing party on such appeal, unless in case of modification and affirmance the supreme court make equitable apportionment of such costs." Also that the word "original" be stricken out and the word "original" be inserted before the word "notes" in the same line, and as so amended the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporated town of Williamsburgh, in Iowa county, State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 137, a bill for an act to provide for supervision of state institutions, and for reports of the General Assembly thereon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 199, a bill for an act appropriating money to defray expenses of Inaugural ceremonies.

G. S. GILBERTSON,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No.

161, a bill for an act to apply to cities of the first class the provisions of chapter 78 of the laws of the Twenty-first General Assembly, and chapter 15 of the laws of the Twenty-fourth General Assembly, and chapter 3 of the laws of the Twenty-fifth General Assembly, relating to indebtedness of cities and towns.

G. S. GILBERTSON,

Chairman.

Senator Waterman, from the Joint Committee on Joint Resolution No. 11, submitted the following report:

MR. PRESIDENT—Your Joint Committee of Conference to whom was referred Senate Joint Resolution No. 11, relative to railroad commissioners' maps, beg leave to report that they have had the same under consideration and would recommend that in lieu thereof the following joint resolution be adopted, instructing the railroad commissioners to procure 15,000 of the railroad commissioners' official map of Iowa, enclosed in envelopes suitable for mailing, and to furnish each member of the Twenty-sixth General Assembly with seventy-five copies thereof for distribution.

H. L. WATERMAN,

L. C. BLANCHARD,

G. M. CRAIG,

W. F. HARRIMAN,

Conferees on part of the Senate.

J. D. MORRISON,

E. C. SPAULDING,

W. B. MARTIN,

J. P. McDOWELL.

Conferees on part of the House.

JOINT RESOLUTION NO. 15.

Be it Resolved by the Twenty-sixth General Assembly:

That the railroad commissioners are hereby authorized to procure, at the earliest practicable date, 15,000 copies of the railroad commissioners' official map of Iowa, with suitable envelopes therefor, and deliver seventy-five copies thereof to each member of the Twenty-sixth General Assembly.

Senator Phelps, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 4, a resolution agreeing to an amendment to the constitution of the State of Iowa prohibiting the manufacture and sale of intoxicating liquors as a beverage within this state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and without recommendation as to passage:

That the number of the resolution be changed from "4" to "5;" that the title be changed to read as follows: "Joint resolution to amend the constitution of the State of Iowa, relative to the manufacture and sale of intoxicating liquors as a beverage; and that all after the word 'therefore' in the twenty-sixth line, on the first page, be stricken out," and the following be placed in lieu thereof:

Be it Resolved by the General Assembly of the State of Iowa:

That the following amendment to the constitution of the State of Iowa be, and the same is hereby proposed, to add as section 26 to article 1 of said constitution, the following:

SEC. 26. No person shall manufacture for sale, or sell or keep for sale as a beverage, any intoxicating liquors whatever, including ale, wine and beer. The general assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

JULIAN PHELPS,
Chairman.

Ordered passed on file.

MINORITY REPORT.

MR. PRESIDENT—A minority of your Committee on Constitutional Amendments, to whom was referred Joint Resolution No. 4 (amended to No. 5), a resolution for resubmission, do not concur in the report of the majority of said committee, for the reason that the prohibition question is one as to which the majority of all our people should control. The will of the majority can only be determined by a submission of the proposition of this resolution to a vote of the people. A minority of said committee therefore recommend that this resolution be agreed to and do pass.

WILLIAM EATON.

Ordered passed on file.

Senator Palmer asked that 300 copies of the substitute for Senate file 140 be printed.

Senator Waterman moved that the rule be suspended and the joint resolution, as reported by Joint Committee of Conference, be read a third time now.

Carried.

Third reading of bill.

On the question, "Shall the bill pass?" the yeas were:

Senator Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—41.

The nays were:

Senators Berry, Eaton, Hobart and Lothrop—4.

Absent or not voting:

Senators Hipwell, Hospers, Lehfeldt, Pusey, Trewin—5.

So the joint resolution was declared to have passed the Senate.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 200, a bill for an act to make an annual appropriation to the Iowa State Agricultural society.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint resolution relative to railroad commissioners' maps.

JAMES D. ROWEN,
Chief Clerk.

Senator Ellis offered the following motion:

MR. PRESIDENT—I move to reconsider the vote by which the substitute for Senate file No. 9 was passed.

L. A. ELLIS.

Carried.

Senator Ellis moved to reconsider the vote by which the substitute for Senate file No. 9 was ordered to a third reading.

Carried.

Senator Ellis offered the following amendment to the substitute:

I move to amend section 2 of the substitute by inserting after the word "will" in said section and before the word "he" the following words: "Or carnally know and abuse any female under the age of fourteen years," so that the section will read: "If any person ravish and carnally know any female by force and against her will, or carnally know and abuse any female under the age of fourteen years, he shall be punished by imprisonment in the penitentiary for life or any term of years."

Adopted.

Senator Ellis offered the following amendment to section 3 of the substitute, and asked that it be laid over.

Also move to amend section 3 of said substitute so that it will read as follows: "If any person over the age of 18 years carnally know any unmarried female over the age of 14 years and under the age of 16 years, he shall be punished by imprisonment in the penitentiary for life or any term of years, or in the discretion of the court he may be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding \$1,000, or by both such fine and imprisonment."

Senator Ellis moved that further consideration of these amendments be made a special order for to-morrow at 11 o'clock A. M.

Carried.

Senator Harriman filed a motion to reconsider the vote by which the amendment to section 2 was adopted.

On motion of Senator Ranck, Senate file No. 23, a bill for an act to establish a state board of embalming, with report of committee recommending the adoption of a substitute, and when so adopted that the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Everall offered the following amendment:

Insert after the word "supplies" in sixth line of section 9 the words "conducting funerals or acting as what is termed a funeral director."

Adopted.

Senator Ranck moved that the rule be suspended and the bill be considered, engrossed and read a third time now.

Senator Waterman called for a reading of the bill by sections.

Senator Cheshire offered the following amendment to section 1:

Strike out the first line and all of second line to the word "Iowa" and insert in lieu thereof the words "that there is hereby created a state board of embalming."

Adopted.

Senator Blanchard moved to amend section 2 by striking out in the fifth line the words "who is hereby authorized to administer the same."

Adopted.

Senator Hotchkiss offered the following amendment to section 4:

I move to amend by striking out section 4, and also the words "and not already engaged therein" in line 2 of section 5.

Lost.

Senator Waterman offered the following amendment:

Strike out in line 4, section 4, the words "or her."

Adopted.

Senator Blanchard offered the following amendment to section 5:

Strike out in the second line the words "and not already engaged therein."

Adopted.

Senator Waterman moved to amend by striking out the words "or her" in line 4, section 5.

Adopted.

Senator Trewin moved to reconsider the vote by which the words "and not already engaged therein" was adopted.

Amendment was withdrawn.

Senator Harriman moved that the bill be amended by striking out section 6.

Lost.

Senator Trewin moved to amend the bill by striking out the word "two" in line 3 of section 6 and insert the word "one."

Lost.

Senator Healy offered the following amendment to section 9:

"The practice of embalming shall not be construed to apply to the use by any person of any compound or mixture to preserve the body from decomposition when the said body is not transported by a common carrier from place of death to a different part of the state or country."

Adopted.

Senator Blanchard moved that the time of adjournment be extended twenty minutes.

Carried.

Senator Waterman moved to amend the first line of section 10 by striking out the words "or herself."

Adopted.

Senator Blanchard moved to amend by striking out section 11 of the bill.

Carried.

Senator Ranck moved that the marginal figures of the original bill be stricken out.

Carried.

Senator Ranck moved that the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Hurst, Lothrop, Palmer, Perrin, Ranck, Rigen, Sargent, Trewin, Upton, Waterman, Young—34.

The nays were:

Senators Carpenter, Cheshire, Craig, Downey, Garst, Henderson, Hotchkiss, Kilburn, Penrose, Phelps—10.

Absent or not voting:

Senators Hospers, Junkin, Lehfeldt, Mitchell, Pusey, Rowen—6.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

Senator Carpenter moved that House file No. 200 be referred to Committee on Appropriations.

Carried.

The Journal of Wednesday was taken up, read, corrected and approved.

Senator Carroll moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, February 28, 1896. }

Senate met in regular session at 10 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. J. C. R. Leighton, of Des Moines.

On request of Senator Lothrop leave of absence was granted Senator Druet until Tuesday, to attend the funeral of Judge Hayes.

PETITIONS AND MEMORIALS.

Senator Pusey presented petition of bar of Pottawattamie county proposing a jury law.

Referred to Committee on Code Revision.

Senator Blanchard presented petition of A. K. Lufkin and others in reference to control of itinerant vendors of bankrupt stocks.

Referred to Committee on Cities and Towns.

Senator Young presented memorial of Delaware County Veterans association for removal of medallions on soldiers' monument, and asked the reading thereof.

Referred to Committee on Military.

Senator Cheshire presented memorial of Kinsman Post, G. A. R., asking that there be no change in the location of the soldiers' monument, and that each Iowa regiment have representation thereon.

Referred to Committee on Military.

Senator Cheshire presented petition of J. C. Armstrong and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Ranck presented petition of Edwin Hammer and others on same subject.

Referred to Committee on Judiciary.

Senator Carney presented memorial of F. M. Thomas Post, G. A. R., recommending exemption of soldier's homesteads from taxation.

Referred to Committee on Ways and Means.

Senator Bonson presented memorial of joint meeting of Hyde Clark Post and Lookout Post, G. A. R., relative to soldiers' monument.

Referred to Committee on Military.

Senator Lothrop presented remonstrances of George Walling, Joseph Dolson and Wm. Hiles and others against the establishing of an additional court at Correctionville.

Referred to Committee on Judiciary.

Senator Ellis presented petition of G. W. Powell and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Sargent presented petition of Hon. D. Kerr and others in favor of a memorial hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Harriman presented petition of E. E. Blanchard and 125 others, relative to woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Harriman presented petition of W. F. Barclay and others relative to sale of intoxicating liquors by druggists, and asked its reading.

Referred to Committee on Pharmacy.

INTRODUCTION OF BILLS.

By Senator Carroll, Senate file, No. 354, a bill for an act to amend and codify the statutes in relation to certain police regulations of the state.

Read first and second time and placed on Calendar.

By Senator Cheshire, Senate file No. 355, a bill for an act to amend section 1144 of the Code of 1873, as amended by chapter 55, acts of the Fifteenth General Assembly, and chapter 66, acts of the Sixteenth General Assembly, and chapter 145 of the acts of the Twenty-first General Assembly, and relating to foreign insurance companies.

Read first and second time and referred to Committee on Insurance.

By Senator Garst, Senate file No. 356, a bill for an act to amend section 2410 of the Code, relative to the statutory denial of claims filed against estates of decedents.

Read first and second time and referred to Committee on Judiciary.

By Senator Harper (by request), Senate file No. 357, a bill for an act to amend chapter 2, title 10 of the Code, relating to the damage of levees.

Read first and second time and referred to Committee on Judiciary.

By Senator Upton, Senate file No. 358, a bill for an act making appropriation for the purchase of apparatus necessary to enable the state superintendent of weights and measures to comply with the requirements of the law relating to county and town standards.

Read first and second time and referred to Committee on Appropriations.

By Senator Waterman, Senate file No. 359, a bill for an act making an appropriation for enlarging the cell capacity and yard of the penitentiary at Fort Madison, Iowa.

Read first and second time and referred to Committee on Appropriations.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 333, a bill for an act to legalize the incorporation of the town of Pleasantville, Marion county, the election of the officers thereof, and all official acts done and ordinances passed by the council of said town not in contravention of the laws of the state.

House file No. 327, a bill for an act to legalize the acts of the town council of Roland, Story, county, Iowa.

House file No. 224, a bill for an act to legalize the incorporation of the town of Mitchell, Mitchell county, Iowa, and the ordinances and acts of the municipal officers thereof.

House file No. 245, a bill for an act to legalize the acts of the council of the town of Coin, Iowa.

House file No. 164, a bill for an act to amend chapter 70 of the acts of the Twenty-fifth General Assembly, relating to selecting and drawing jurors.

House file No. 80, a bill for an act to legalize the acts of J. H. Ellsworth of Clayton county, Iowa, as notary public.

House file No. 292, a bill for an act to legalize certain ordinances passed by the town of Salix, Woodbury county, Iowa.

House file No. 349, a bill for an act to amend section 4, chapter 143, acts of the Sixteenth General Assembly, relating to the appointment of judges of superior courts.

House file No. 232, a bill for an act to amend section 2, chapter 99, of the acts of the Twenty-fifth General Assembly.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 57, a bill for an act to revise, amend and codify the statutes relative to militia.

Senate file No. 106, a bill for an act to regulate the forfeiture of contracts for sale of real estate.

Senate file No. 40, a bill for an act to provide text books for use of pupils in the public schools, without charge to the same.

Senate file No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected the following bill, in which the concurrence of the House is asked:

Senate file No. 3, a bill for an act to amend section 1726 of the Code of 1873, allowing boards of directors to establish kindergarten schools.

JAMES D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

Joint Resolution No. 12, relative to railroad commissioners' maps.

Senator Waterman moved that the vote by which Joint Resolution No. 15 was passed be reconsidered.

Carried.

Senator Waterman moved that the vote by which Joint Resolution No. 15 was ordered to third reading be reconsidered.

Carried.

Senator Waterman moved that the House joint resolution be substituted for Joint Resolution No. 15.

Carried.

Senator Waterman moved that the joint resolution substituted be read a third time now.

Carried.

Third reading of joint resolution.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Ellis, Ellison, Ericson, Everall, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin,

Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

Senator Eaton voted in the negative.

Absent or not voting:

Senators Carpenter, Druet, Funk, Garst, Hospers, Lehfeldt--6

So the joint resolution passed.

Senate file No. 57, a bill for an act to revise, amend and codify the statutes, relative to militia, was passed on file.

House file No. 292, a bill for an act to legalize certain ordinances passed by the town of Salix, Woodbury county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 245, a bill for an act to legalize the acts of the council of the town of Coin, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 327, a bill for an act to legalize the acts of the town council of Roland, Story county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 224, a bill for an act to legalize the incorporation of the town of Mitchell, Iowa, and the ordinances and acts of the municipal officers thereof, was read first and second time and referred to Committee on Judiciary.

House file No. 333, a bill for an act to legalize the incorporation of the town of Pleasantville, Marion county, Iowa, the election of officers, and all official acts done and ordinances passed by the council of said town, not in contravention with the laws of the State of Iowa, was read first and second time and referred to Committee on Judiciary.

Senate file No. 40, a bill for an act to provide text books for use of pupils in the public schools without charge to the same, was passed on file.

House file No. 80, a bill for an act to legalize the acts of J. H. Ellsworth of Clayton county, Iowa, as notary public, was read first and second time and referred to Committee on Judiciary.

House file No. 349, a bill for an act to amend section 4, chapter 143 of the acts of the Sixteenth General Assembly, relating to appointment of judges of superior courts, was read first and second time and referred to Committee on Judiciary.

Senate file No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class, was passed on file.

House file No. 232, a bill for an act to amend section 2, chapter 99 of the acts of the Twenty-fifth General Assembly, was read first and second time and referred to Committee on Public Libraries.

Senate file No. 3, a bill for an act to amend section 1726 of the Code of 1873, allowing boards of directors to establish kindergarten schools, was passed on file.

House file No. 164, a bill for an act to amend chapter 70 of the Twenty-fifth General Assembly, relating to selecting and drawing jurors, was read first and second time and referred to Committee on Judiciary.

Senate file No. 106, a bill for an act regulating the forfeiture of contracts for sale of real estate, was passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 272, a bill for an act to amend section 3721 of the Code of 1873, in respect to taking depositions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted it do pass.

SUBSTITUTE FOR SENATE FILE NO. 272.

A bill for an act to amend section 3721 of the Code of 1873, in respect to taking depositions.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3721 of the Code of 1873 be amended by adding thereto the following provision:

Whenever a party to any cause shall serve notice for the taking of any deposition, either within or without the state, upon commission, with interrogatories attached thereto, the opposite party may elect to cross-examine such witness orally at the time of the taking of such deposition, and in such event shall serve the moving party, or his attorney, prior to the issuing of such commission, with notice of such election, and thereupon, before such deposition shall be taken, the moving party shall serve such opposite party, or his attorney, with notice of the day, hour, and place (including the street and number, if in a city) of the taking of such deposition, and the name of the party before whom the same is to be taken, which notice shall be served not less than three days prior to the taking thereof, the day of service not being included, and one additional day for every three hundred miles distance between the place of the residence of such party or his attorney, and the place where such deposition is to be taken. The oral cross-examination shall be reduced to writing by such commissioner, the same as though taken on written cross-interrogatories, also the moving party in the taking of said deposition may

appear before such commissioner, if he so desires, in person or by agent or attorney, and examine such witness or witnesses orally in chief, and re-examination and re-cross-examination shall proceed in the same manner; and if any such moving party in the taking of such deposition, shall not desire to examine such witness or witnesses orally, the commissioners shall propound the interrogatories in chief in the usual manner of taking depositions on written interrogatories, and the same rules with regard to examining witnesses, and the same requirements with regard to the returning of such depositions to the clerk of the court in which the same is intended to be used, as are now observed in practice or required by law shall obtain.

SEC. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 322, a bill for an act to amend section 4022 of the Code of 1873, relating to the importation, printing, publishing, selling and distributing of obscene books and pictures, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding before the words "thirty days" in the fourth line of the original bill the words "county jail not more than" and striking out the words "county jail" in the fifth and sixth lines of said bill and inserting the word "penitentiary" in lieu thereof, and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 255, a bill for an act to empower judges of the district court to have additional jurors sit in the trial of criminal causes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 347, a bill for an act to legalize the proceedings of the city council of Wapello, Iowa, and a certain ordinance passed by them, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances, and all acts of the town council, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at the close of section 1 the following words: "*Provided*, however, that nothing in this act shall affect in any manner any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 304, a bill for an act to amend section 2354 of the Code of 1873, and to preserve a record of the real estate belonging to the estates of deceased persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 298, a bill for an act to amend section 4, chapter 143 of the acts of the Sixteenth General Assembly, relating to appointment of judges of superior courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at close of section 2 the words, "without expense to the state," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 305, a bill for an act requiring corporations to file their articles of incorporation with the Secretary of State and procuring a certificate to do business, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Corporations.

L. A. ELLIS,
Chairman.

The report of committee was adopted and bill referred to Committee on Corporations.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes, in Dickinson county, to be navigable waters, and to provide for their preservation and improvement for navigation for the benefit of the public health and for the culture of fish therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

L. A. ELLIS,
Chairman.

The report of the Committee was adopted and the bill referred to the Committee on Appropriations.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 312, a bill for an act amending chapter 1 of title 9 of the Code of 1873, as amended by chapter 86, acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Corporations.

L. A. ELLIS,
Chairman.

The report of the committee was adopted, and the bill referred to the Committee on Corporations.

Senate file No. 202 was ordered returned to the Judiciary Committee.

Senator Pusey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 8, introduced by Senator Carpenter, requesting our senators and representatives in congress to secure an appropriation for the reconstruction and repair of the Muscatine Island levee, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out in line 9 the words "said levee" and insert the words "the same," and when so amended it do pass.

N. M. PUSEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House Joint Resolution No. 5, relative to memorializing congress to enact a stringent law prohibiting the gambling in futures with respect to grain, packing house products, etc., beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the Senate do not concur therein.

N. M. PUSEY,
Chairman.

Ordered passed on file.

Senator Young, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 335, a bill for an act to amend section three (3) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly, to transfer Marshall county from the Eleventh to the Seventeenth judicial districts, and to provide for another judge, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "court" in the fifth line before the word "judges," and that when so amended that the bill do pass.

D. H. YOUNG,
Chairman.

Ordered passed on file.

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 60, a bill for an act to revise, amend and codify the laws in relation to the State University, the Agricultural College and the Normal School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: As stated in exhibit "A" hereto attached, and when so amended that it do pass.

EXHIBIT "A" TO REPORT OF COMMITTEE ON EDUCATIONAL INSTITUTIONS.

Chapter 3 shall be amended as follows, viz: The title "of the university" be changed to read "The State University." The first line of section 1 be amended by striking out the words "which may be designated as the university." Same section, line 6, after the word "office," strike out the words "at the pleasure of the board" and insert the words "for the term of four years, unless sooner removed by the board."

Chapter 4. Amend title so as to read "The Agricultural College." Section 8, line 4, strike out the word "and," and insert the words "which shall." Section 12, line 3, strike out the word "eight" and insert the words "not less than seven." Same section, lines 6 and 7, strike out the words "holder of the lease, such holder," and insert the words "purchaser, such purchaser." Section 13, line 2, strike out the word "eight" and insert the words "not less than seven." Section 22, line 1, insert after the word "which" the word "funds." Also in the same line strike out the word "done" and insert the word "invested." Section 28, line 5, insert after the word "statements" the words "under oath." Section 30, lines 1 and 2, strike out the following words, viz: "The support of the State College of

Agriculture and Mechanic Arts, in its several departments and chairs, and in aid of the income fund," and insert the words "repairs, general improvement and current expenses." Also in same section, line 2, strike out the words "eighteen thousand five hundred" and insert the words "fifteen thousand."

Chapter 5 to be amended as follows: Section 1, line 5, strike out the word "to" and insert the words "nor any teacher or person connected with the school shall." Section 2, line 1, insert after the word "board" the following: "Shall direct, use and control all the property of the state coming into its hands for the use of the school, and shall control and direct the expenditure of all money, it."

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Hobart, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 158, a bill for an act to amend section 3798 of the Code as substituted by chapter 184, section 3, acts of the Eighteenth General Assembly, relating to the salary of county auditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all of said bill after the word "amended" and inserting in lieu thereof the following: "by inserting after the word 'dollars' in the third line of said section, the following words: in counties having a population of less than 25,000 and upwards shall not exceed the sum of \$500 in counties having a population of 25,000 and upwards," and that when so amended the bill do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensations of Public Officers, to whom was referred Senate file No. 107, a bill for an act providing for a uniform system of bookkeeping for county officers, and the appointment of state examiners of county records, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 329, a bill for an act to improve the public highways of the state by encouraging the use of wide tires upon wagons made for carrying heavy loads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

That in section 1, line 2, printed bill, after the word "thereafter" the words "owns and" be inserted; that in section 1, line 5, printed bill, after the word "manner" the words "owns and" be inserted; that in section 1, line 8, printed bill, the figure and character "\$4" be stricken out and the words "four dollars" be inserted in lieu thereof; that in section 1, line 8, printed bill, the figure and character "\$6" be stricken out and the words "six dollars" be inserted in lieu thereof; that in section 1, line 12, printed bill, the figures "1000" be stricken out and the words "eight hundred" be inserted in lieu thereof, and that in section 2, line 2, printed bill, the word "this" be stricken out and the words "the foregoing" be inserted in lieu thereof, and when so amended the bill do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 315, a bill for an act to provide for the payment of the mileage of the committees appointed to visit state institutions.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 239, a bill for an act to amend chapter 104 of the acts of the Twenty-first General Assembly, relating to the practice of medicine, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 38, a bill for an act to prevent the adulteration of candy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that the same is already provided for by statute.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 306, a bill for an act to repeal sections 1, 2 and 3

of chapter 50 of the acts of the Twenty-fourth General Assembly, in relation to adulterated milk, skimmed milk, cheese and butter, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. R. GORBELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 286, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, regulating the sale of petroleum products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that the same is already controlled by statutes.

J. R. GORBELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 328, a bill for an act to protect guests of hotels and inns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. R. GORBELL,
Chairman.

Ordered passed on file.

The hour for special order having arrived the consideration of same was delayed until reports of committees could be presented.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 233, a bill for an act to amend sections 2881 and 2882, chapter 9, title 12, of McClain's Code of Iowa, in relation to teachers' certificates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that House file No. 135 covers same subject.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 268, a bill for an act to amend section 1800 of the Code of Iowa, as amended by chapter 139 of the laws of the Eighteenth General

Assembly of the State of Iowa, as amended by chapter 38, acts of the Twenty-fifth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 194, a bill for an act entitled an act to increase the support fund of the boys' department of the Iowa Industrial School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be concurred in.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 223, a bill for an act to make appropriation for the support of the Iowa Weather and Crop Service, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 200, a bill for an act to make an annual appropriation to the Iowa State Agricultural society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out, beginning in third line of section 1, the following: "Eight thousand (\$8,000.00) dollars for the year 1896, and an annual appropriation of three thousand (\$3,000.00) dollars each year thereafter for the term of four years," and inserting in lieu thereof the following: "Seven thousand (\$7,000.00) dollars for the year 1896." That section 3 thereof be stricken out, and that section 4 be made section 3, and that section 5 be made section 4, and that as amended it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 55, a bill for an act to appropriate money to procure for the Governor's rooms in the Capitol portraits of ex-Governor John H. Gear, ex-Governor Buren R. Sherman, ex-Governor William Larabee, ex-Governor Horace Boies and ex-Governor Frank D. Jackson, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 27, a bill for an act to pay the widow of Hon. L. O. Hatch, deceased, the salary for his unexpired term as judge, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when so adopted that it do pass.

SUBSTITUTE FOR SENATE FILE NO. 27.

A bill for an act to pay the widow of Hon. L. O. Hatch, late judge of the Thirteenth judicial district of Iowa, the salary of the office from the date of his death to the time his successor was appointed and qualified.

WHEREAS, The Hon. L. O. Hatch was in the year 1890 elected judge of the district court for the Thirteenth judicial district of Iowa for the term commencing on the 1st day of January, 1891, and ending on the 1st day of January, 1895; and

WHEREAS, By reason of certain accidental physical injuries received by him during his incumbence as such judge, about January 4, 1894, he was prostrated and permanently disabled, and as a result of such injuries died about July 25, 1894; and

WHEREAS, The Hon. E. E. Cooley was appointed August 24, 1894, by the Governor to fill the unexpired term of said office for five months.

WHEREAS, The salary for the time from the date of the death of Judge Hatch to the date of the appointment of his successor amounts to \$228.50 and was not drawn by any person; therefore

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the sum of \$228.50 be and the same is hereby appropriated to Albina Hatch, widow of Hon. L. O. Hatch, deceased, as compensation for said period, and that the Auditor of State be directed to draw a warrant therefor.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

By special order, the substitute for Senate file No. 9 was taken up.

Senator Ellis offered the following substitute for section 8:

I move to amend section 3 of the substitute for Senate file No. 9, so that it shall read as follows:

SEC. 3. If any person over the age of eighteen years carnally know any unmarried female over the age of fourteen years and under the age of sixteen years, he shall be punished by imprisonment in the penitentiary for life or any term of years, or in the discretion of the court he may be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding \$1,000, or by both such fine and imprisonment.

Provided, That nothing in this act shall in any manner affect pending proceedings in any of the courts of this state, and the former statute hereby repealed shall continue in force for the punishment of offenses therein named, committed before the taking effect of this act.

Senator Byers offered the following amendment to the substitute:

Insert after the word "years" in line 3 the following, "of previous chaste character."

Senator Carroll offered the following motion:

I move to recommit the entire matter of the Code Revision Committee with the recommendation that no report be made until a unanimous decision of the committee is reached.

On this a division was called and the motion prevailed.

Senator Alexander offered the following motion:

I move that when we do adjourn it be until Tuesday morning, March 2 1896, at 11 o'clock A. M.

Senator Cheshire moved to amend by making the time 9 o'clock A. M. to-morrow.

On this a roll was called.

On the question, "Shall the amendment prevail?" the yeas were:

Senators Bell, Carpenter, Carroll, Cheshire, Eaton, Ellison, Ericson, Garst, Harriman, Healy, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Perrin, Phelps, Pusey, Ranck, Rikken, Trewin, Upton, Waterman—24.

The nays were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Craig, Downey, Ellis, Everall, Gilbertson, Gorrell, Harper, Henderson, Hipwell, Lothrop, Penrose, Rowen, Sargent, Young—20.

Absent or not voting:

Senators Berry, Druet, Funk, Hospers, Lohfeldt, Palmer—6.

So the amendment carried.

The motion as amended was adopted.

The Journal of Thursday was taken up, read, corrected and approved.

Senators Downey, Gorrell, Henderson, Rowen, Sargent and Bonson were excused until Tuesday.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, February 29, 1896. }

Senate met in regular session at 9 o'clock A. M., Senator Funk, president *pro tem.*, presiding.

Prayer was offered by Rev. D. A. Wickizer, of Des Moines.

On request of Senator Craig, leave of absence was granted Senators Everall and Byers, and Senator Penrose asked for excuse of Senator Young until Tuesday.

On request of Senator Harriman, Senator Allyn was excused until Tuesday.

Secretary Bullard was excused by the President until Tuesday.

PETITIONS AND MEMORIALS.

Senator Carroll presented petition of A. W. Huffman and twenty others of Moulton, asking passage of Senate file No. 122.

Referred to Committee on Ways and Means.

Senator Hipwell presented petition of E. J. Kislenmader and others of Davenport, asking the passage of Senate file No. 239.

Referred to Committee on Public Health.

Senator Berry presented remonstrance of P. J. Carolan and others against the passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Blanchard presented remonstrance of citizens of Evans, Mahaska county, against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Blanchard presented remonstrance of B. E. Bosley and others on same subject.

Referred to Committee on Banks.

Senator Penrose presented petition of C. A. Wilson and ninety others against the passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Palmer presented remonstrance of seventy citizens of Henry county against the manufacturing of liquors in Iowa.

Referred to Committee on Suppression of Intemperance.

Senator Lothrop presented several remonstrances from citizens of Correctionville against the proposed court at Correctionville, Iowa.

Referred to Committee on Judiciary.

Senator Perrin presented memorial of Farmers' Institute of Waverly in relation to farmers' institute law.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Blanchard, Senate file No. 360, a bill for an act to provide for state scholarships in the State University, and the manner of awarding the same.

Read first and second time and referred to Committee on Educational Institutions.

By Senator Carney (by request), Senate file No. 361, a bill for an act to amend section 2 of chapter 11, acts of the Twenty-second General Assembly, and to provide that cities and towns may supply water, gas and electric lights and power to inhabitants thereof for a reasonable compensation.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Hobart, Senate file No. 362, a bill for an act to enable the trustees or commissioners of state institutions to lay out, establish, vacate or change public highways through land owned by the state on which state institutions are situated.

Read first and second time and referred to Committee on Highways.

By Senator Kilburn, for Senator Rowen, Senate file No. 363, a bill for an act to prevent and punish taking of orders for intoxicating liquors and the distribution of such liquors.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Senator Ranck, Senate file No. 364, a bill for an act to amend chapter 74 of the Eighteenth General Assembly, relating to military.

Read first and second time and referred to Committee on Military.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the acts of the Twenty-fifth General Assembly, in relation to public libraries.

JAMES D. ROWEN,
Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 292, a bill for an act to legalize certain ordinances passed by the town of Salix, Woodbury county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 224, a bill for an act to legalize the incorporation of the town of Mitchell, Mitchell county, Iowa, and the ordinances and acts of the municipal officers thereof, beg leave to report that they had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 327, a bill for an act to legalize the acts of the town council of Roland, Story county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 316, a bill for an act to amend section 3061 of the Code of 1873, relating to stay of execution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 349, a bill for an act to amend section 4, chapter 143, acts of the Sixteenth General Assembly, relating to the appointment of judges of the superior courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 333, a bill for an act to legalize the incorporation of the town of Pleasantville, Marion county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 342, a bill for an act to repeal section 6, chapter 43, acts of the Twenty-third General Assembly, in reference to compensation of justices of peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 164, a bill for an act to amend chapter 70, acts of the Twenty-fifth General Assembly, relating to selecting and drawing jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Code Revision Committee.

L. A. ELLIS,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate files Nos. 332 and 326 and House file No. 118, bills for acts to amend section 3106 of the Code of 1873, relating to redemption from execution sales of real estate, and to amend section 3106 of the Code of 1873, relating to the liens of redemption of lands from execution sales, and to amend section 4335 of McClain's Code, relative to redemption from sheriffs' sale, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted for these bills, and when adopted the substitute bill do pass.

SUBSTITUTE FOR SENATE FILES NOS. 332 AND 326 AND HOUSE FILE NO. 118.

A bill for an act repealing section three thousand one hundred and six (3106) of the Code of 1873, relating to the redemption of real estate from sales on execution, and enacting a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section three thousand one hundred and six (3106) of the Code of 1873 be and the same is hereby repealed and the following enacted in lieu thereof:

SEC. 3106. The terms of redemption in all cases will be the reimbursement of the amount paid by the then holder, added to the amount of his own lien, with interest upon said liens at the respective contract rates computed to the date of redemption, together with costs, subject to the exception contained in the next section. But where the mortgagee whose claim is not due is the person from whom the redemption is to be made, interest shall be paid thereon at the contract rate only to the day of redemption.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 232, a bill for an act to amend section 2, chapter 99 of the acts of the Twenty-fifth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-referred Senate file No 202, a bill for an act to amend section 1395, in relation to commissioners of insanity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out in third line of original bill the words "the county seats" and inserting in lieu thereof "having two places where district court is held," and after the word "insanity" in the fourth line of said bill "one at each place," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 274, a bill for an act to provide for holding terms of the

district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the State of Iowa, defining the territorial jurisdiction of said court, restricting that of the corresponding court to be held at Sioux City, in said county of Woodbury, beg leave to report that they have had the same under consideration, and a minority have instructed me to report the same back to the House with the recommendation that it be not concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 274, a bill for an act to provide for holding terms of the district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the State of Iowa, defining the territorial jurisdiction of said court, restricting that of the corresponding court to be held at Sioux City, in said county of Woodbury, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the House with the recommendation that it be concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 317, a bill for an act to amend section 3061 of the Code, relating to the rate of interest on judgments where a stay of execution is taken, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 245, a bill for an act to legalize the acts of the council of the town of Coin, Iown, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 279, a bill for an act to amend section 1132 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 80, a bill for an act to legalize the acts of J. H. Ellsworth, of Clayton county, Iowa, as notary public, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out of the third line of the printed bill the words "other narcotics" and inserting the word "hasheesh" in lieu thereof, and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 296, a bill for an act to amend section 4013 of the Code of Iowa, relating to nuisances, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the accompanying substitute be adopted, and when adopted it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 296.

A bill for an act to prohibit the keeping of houses resorted to for the use of opium or hasheesh, and providing a penalty therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. If any person keep or maintain any place resorted to for the use of opium or hasheesh, or if any person resort to any such place for the use of the same, he shall upon conviction be imprisoned in the penitentiary not less than six months nor more than five years.

SEC. 2. If any person let any house, knowing that the lessee intends to use it as a place or resort for the use of opium or hasheesh, or knowingly permit such lessee to use the same for such purpose, he shall upon conviction be fined not exceeding \$300 or imprisonment in the county jail not exceeding six months.

SEC. 3. When the lessee of any house maintains the same or any part thereof as a place resorted to and for the use of opium or hasheesh, it

shall render the lease void at the option of the lessor, and the lessor may recover possession thereof as against a tenant holding over after the expiration of his term.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 205, a bill for an act to prevent insolvent insurance companies from doing business and providing penalties therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 9, a bill for an act to amend section 3861 of the Code, as amended by chapter 114 of the acts of the Twenty-first General Assembly, in relation to offenses against the life and person, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a substitute, with the recommendation that the substitute be adopted, and that when adopted the bill do pass.

SUBSTITUTE FOR SENATE FILE NO. 9.

A bill for an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly, be amended by striking out the word "thirteen" in the second line of said section and inserting in lieu thereof the word "fifteen," and by striking out the word "thirteen" in the fourth line of said section and inserting in lieu thereof the word "fifteen."

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 188, a bill for an act providing for the publication of the annual proceedings of the Iowa State Dairy association, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed; that the subject matter is contained in House file No. 72.

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 224, a bill for an act to provide for the publication of the bulletins of the Iowa State Experiment Station, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Appropriations.

D. J. PALMER,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 78, a bill for an act relating to the spread of disease among swine, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the committee substitute for Senate file No. 140 be substituted in its stead.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 220, a bill for an act for the relief of James F. Ward, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out "two hundred" in first line of section 1, and insert in lieu thereof "one hundred;" strike out publication clause; also strike off all marginal numbers used in numbering lines, and when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 166, a bill for an act to legalize the incorporation of the town of Whitten, Hardin county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 315, a bill for an act to provide for the payment of the mileage of the committee appointed to visit state institutions.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 58, a bill for an act to authorize townships to vote a tax to build public halls in which to hold elections and public meetings.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 109, a bill for an act to legalize the incorporation of the town of Colesburg, Delaware county, Iowa, and official acts by its officers.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 96, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, the election of its officers, and all official acts done and ordinances passed by the council of said town, not in contravention of the laws of the State of Iowa.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 12:

Be it Resolved by the Twenty-sixth General Assembly of the State of Iowa:

That the railroad commissioners are hereby authorized to procure at the earliest possible date 15,000 copies of the railroad commissioners' official map of Iowa, with suitable envelopes therefor, and deliver seventy-five copies thereof to each member of the Twenty-sixth General Assembly.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 56, a bill for an act to legalize the acts and ordinances of the incorporated town of Leland, Winnebago county, Iowa.

G. S. GILBERTSON,

Chairman Committee on part of Senate.

W. E. HAUGER,

Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 65, a bill for an act to legalize all special elections held or attempted to have been held since February 16, 1894, in any city of Iowa of over 5,000 inhabitants, to vote taxes not to exceed 5 per centum on the issued value thereof, to construct or to aid in the construction of a highway bridge or a combination bridge suitable for use as a highway and for railway purposes across any navigable boundary river of Iowa, including the levy of said taxes, and all acts leading up to the same or done thereunder.

G. S. GILBERTSON,

Chairman Committee on part of Senate.

W. E. HAUGER,

Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 73, a bill for an act to legalize the acts and ordinances of the incorporated town of Minburn, Dallas county, Iowa.

G. S. GILBERTSON,

Chairman Committee on part of Senate.

W. E. HAUGER,

Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 51, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Ionia, in Chickasaw county, Iowa.

G. S. GILBERTSON,

Chairman Committee on part of Senate.

W. E. HAUGER,

Chairman Committee on part of House.

Senator Harriman asked that Senate file No. 222 be returned to Committee on Highways for further consideration.

Senator Carpenter moved that substitute for Senate file No. 9 be made a special order for Wednesday, March 4, to follow special order on building and loan and associations.

Carried.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 315, a bill for an act to provide for the payment of the mileage of the committee appointed to visit state institutions.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 58, a bill for an act to authorize townships to vote a tax to build public halls in which to hold elections and public meetings.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 109, a bill for an act to legalize the incorporation of the town of Colesburg, Delaware county, Iowa, and official acts by its officers.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 96, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, the election of its officers, and all official acts done and ordinances passed by the council of said town, not in contravention of the laws of the State of Iowa.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 12:

Be it Resolved by the Twenty-sixth General Assembly of the State of Iowa:

That the railroad commissioners are hereby authorized to procure at the earliest possible date 15,000 copies of the railroad commissioners' official map of Iowa, with suitable envelopes therefor, and deliver seventy-five copies thereof to each member of the Twenty-sixth General Assembly.

G. S. GILBERTSON,
Chairman Committee on part of Senate
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 56, a bill for an act to legalize the acts and ordinances of the incorporated town of Leland, Winnebago county, Iowa.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 65, a bill for an act to legalize all special elections held or attempted to have been held since February 16, 1894, in any city of Iowa of over 5,000 inhabitants, to vote taxes not to exceed 5 per centum on the issued value thereof, to construct or to aid in the construction of a highway bridge or a combination bridge suitable for use as a highway and for railway purposes across any navigable boundary river of Iowa, including the levy of said taxes, and all acts leading up to the same or done thereunder.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 73, a bill for an act to legalize the acts and ordinances of the incorporated town of Minburn, Dallas county, Iowa.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 51, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Ionia, in Chickasaw county, Iowa.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Senator Harriman asked that Senate file No. 222 be returned to Committee on Highways for further consideration.

Senator Carpenter moved that substitute for Senate file No. 9 be made a special order for Wednesday, March 4, to follow special order on building and loan and associations.

Carried.

Senator Craig moved that concurrent resolution relative to medallion on soldiers' monument be made a special order for Thursday, March 5, at 10:30 A. M.

Carried.

Senator Carroll moved that bills reported for indefinite postponement, and legalizing acts, be now taken up.

Carried.

Senator Carney offered the following resolution:

Resolved, by the Senate, That the report of the committees on Calendar Nos. 40 Senate file 285, 45 Senate file 142, 49 Senate file 135, 64 Senate file 252, 65 Senate file 299, 66 Senate file 300, 68 Senate file 74, 69 Senate file 165, 76 Senate file 126, 82 Senate file 313, 83 Senate file 132, 85 Senate file 303, 91 Senate file 137, 96 Senate file 255, 110 Senate file 286, 112 Senate file 38, 113 Senate file 239 and 117 House file 55 be adopted.

Adopted.

On motion of Senator Carroll, House file No. 101, a bill for an act to legalize the incorporation of the Elk Creek Lutheran congregation, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Carroll moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Ranck, Trewin, Upton, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Byers, Downey, Druet, Everall, Gorrell, Healy, Henderson, Hospers, Lehfeltdt, Mitchell, Phelps, Pusey, Rigger, Rowen, Sargent, Young—18.

So the bill passed and its title was agreed to.

On motion of Senator Hobart, Senate file No. 253, a bill for an act to legalize the organization of the independent school district of Larrabee, Iowa, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Hobart moved that the rule be suspended, and that the bill be considered engrossed and read a third now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Trewin, Upton, Waterman—33.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Byers, Downey, Druet, Everall, Gorrell, Henderson, Hipwell, Hospers, Lehfeldt, Mitchell, Phelps, Rigger, Rowen, Sargent, Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Carroll, Senate file No. 218, a bill for an act limiting the defense of contributory negligence in certain cases, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

On a motion of Senator Carroll, Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery company, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Trewin, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Bonson, Byers, Craig, Downey, Druet, Everall, Gorrell, Henderson, Hospers, Junkin, Lehfeldt, Mitchell, Phelps, Rigger, Rowen, Sargent, Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Gilbertson, Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway, Iowa, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Gilbertson moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Trewin, Upton, Waterman—33.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Byers, Downey, Druet, Everall, Gorrell, Henderson, Hospers, Junkin, Lehfelddt, Milchell, Phelps, Rikken, Rowen, Sargent, Young—17.

So the bill passed and its title was agreed to.

Senator Hotchkiss moved that the report of the committee on Senate file No. 129, a bill for an act to legalize the incorporation of the town of Gray, Audubon county, Iowa, recommending that the bill be indefinitely postponed, be adopted, for the reason that a similar bill had already passed.

Carried.

Senator Blanchard offered the following motion:

I move that when the Senate do adjourn today it be until Tuesday, March 3, at 11 o'clock A. M.

On this the yeas and nays were demanded.

On the question, "Shall the motion prevail?" the yeas were:

Senators Alexander, Bell, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Ellis, Ellison, Funk, Garst, Gilbertson, Harper, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Lothrop, Palmer, Penrose, Perrin, Pusey—24.

The nays were:

Senators Eaton, Ericson, Harriman, Kilburn, Ranck, Trewin—6.

Absent or not voting:

Senators Allyn, Berry, Bonson, Byers, Downey, Druet, Everall, Gorrell, Henderson, Hospers, Junkin, Lehfeldt, Mitchell, Phelps, Rigger, Rowen, Sargent, Upton, Waterman, Young—20.

So the motion prevailed.

On motion of Senator Eaton, Senate file No. 241, a bill for an act to legalize the acts of the council of the town of Coin, with report of Committee recommending certain amendments, and when so amended that it do pass, was taken up and considered.

Senator Eaton moved that House file No. 245 be substituted for this bill, as it is identical, and has passed the House.

Carried.

Senator Eaton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Healy, Hipwell, Hobart, Hotchkiss, Kilburn, Lothrop, Palmer, Perrin, Pusey, Ranck, Trewin, Waterman—29.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Byers, Downey, Druet, Everall, Gorrell, Harriman, Henderson, Hospers, Hurst, Junkin, Lehfeldt, Mitchell, Penrose, Phelps, Rigger, Rowen, Sargent, Upton, Young—21.

So the bill passed and its title was agreed to.

On motion of Senator Ranck, Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate town of Williamsburg, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Ranck moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ericson, Funk, Garst,

Gilbertson, Harper, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Trewin, Upton—29.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Bonson, Byers, Downey, Druet, Ellison, Everall, Gorrell, Harriman, Henderson, Hospers, Junkin, Lehfeldt, Mitchell, Phelps, Rigger, Rowen, Sargent, Waterman, Young—21.

So the bill passed and its title was agreed to.

On motion of Senator Kilburn, House file No. 209, a bill for an act to legalize the incorporation of the town of Earlham, Iowa, with report of committee recommending that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Kilburn moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Ranck, Trewin, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Byers, Downey, Druet, Ellison, Everall, Gorrell, Henderson, Hipwell, Hospers, Lehfeldt, Mitchell, Phelps, Pusey, Rigger, Rowen, Sargent, Young—19.

So the bill passed and its title was agreed to.

On motion of Senator Carpenter, Senate file No. 347, a bill for an act to legalize the ordinances of the city council of Wapello, granting franchise to W. H. Prescott and his associates of the Wapello Electric Light and Power company, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Carpenter moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Trewin, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Byers, Downey, Druet, Ellison, Everall, Gorrell, Henderson, Hospers, Lehfeldt, Mitchell, Phelps, Rikken, Rowen, Sargent, Upton, Young—18.

So the bill passed and its title agreed to.

On motion of Senator Perrin, Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of the town council, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Perrin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bell, Blanchard, Carney, Carpenter, Carroll, Cheshire, Craig, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Upton, Waterman—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Berry, Bonson, Byers, Downey, Druet, Eaton, Everall, Gorrell, Henderson, Hospers, Lehfeldt, Mitchell, Phelps, Rikken, Rowen, Sargent, Trewin, Young—20.

So the bill passed and the title was agreed to.

Senator Cheshire moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senate file No. 118, a bill for an act to amend sections 2 and 4 of chapter 41 of the acts of the Twenty-fifth General Assembly.

Senator Cheshire moved that the amendment as made by the House be concurred in.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carpenter, Carroll, Cheshire, Craig, Ellis, Ellison, Ericson, Funk, Gilbertson, Harper, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Upton, Waterman—28.

The nays were:

None:

Absent or not voting:

Senators Allyn, Bonson, Byers, Carney, Downey, Druet, Eaton, Everall, Garst, Gorrell, Harriman, Henderson, Hospers, Kilburn, Lehfeldt, Mitchell, Phelps, Rigger, Rowen, Sargent, Trewin, Young—22.

So the amendment was concurred in.

The Journal of yesterday was taken up, read, corrected and approved.

Senator Carroll moved that the Senate do now adjourn.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, March 3, 1896. }

Senate met pursuant to adjournment at 11 o'clock A. M.,
President Parrott presiding.

Prayer was offered by the Rev. N. C. Rosenberger, of Mitchellville, Iowa.

PETITIONS AND MEMORIALS.

Senator Hospers presented petition of Lon F. Chapin and others, relating to memorial hall.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Everall presented memorial of G. A. R. Post No. 146, relating to Soldiers' Home.

Referred to Committee on Appropriations.

Senator Trewin presented petition of T. V. Hurst and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Trewin presented petition of L. B. Mattoon and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Trewin presented remonstrance of Jno. W. Hartley and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Bonson presented petition of S. H. Ensign and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Bell presented petition of Mrs. C. D. Irish and others relating to suffrage amendment.

Referred to Committee on Constitutional Amendments.

Senator Bell presented petition of E. A. Howard and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Bell presented remonstrance of Shephard Post, G. A. R. against medallions on soldiers' monument.

Referred to Committee on Military.

Senator Bell presented petition of T. Thompson and others, relating to express companies.

Referred to Committee on Railways.

Senator Young presented petition of 107 citizens of Strawberry point for the equal suffrage bill.

Referred to Committee on Constitutional Amendments.

Senator Gorrell presented petition of Squire S. Sims and others, relative to the use of school houses for revival meetings.

Referred to Committee on Schools.

Senator Junkin presented petition of C. K. Kennedy and others, relative to control of express companies.

Referred to Committee on Railways.

Senator Carroll presented petition of W. W. Rawlings and others, relating to Senate file No. 1.

Referred to Committee on Judiciary.

Senator Palmer presented petition of John F. Leach and others, in favor of the passage of House file No. 253.

Referred to Committee on Cities and Towns.

Senator Penrose presented petition of 150 citizens of Benton county for equal political rights.

Referred to Committee on Constitutional Amendments.

Senator Ranck presented petition of business men of Iowa City, relating to manufacturers' building on state fair grounds.

Referred to Committee on Agriculture.

Senator Sargent presented petition of business men of Cedar Falls on same subject.

Referred to Committee on Agriculture.

Senator Hotchkiss presented petition of A. L. Smith and others, relating to control of express companies.

Referred to Committee on Railways.

Senator Lothrop presented petition of Robert Hunter and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

President Parrott presented memorial of W. C. Crook Post G. A. R. No. 329, at Boone relating to Soldiers' Home and monument.

Referred to Committee on Appropriations.

Senator Junkin presented petition of R. M. Shipman and others, relating to memorial and art building.

Referred to Committee on Semi-Centennial and Memorial Hall.

INTRODUCTION OF BILLS.

By Senator Eaton, Senate file No. 365, a bill for an act to amend section 430 of the Code, relating to the annexation of contiguous territory by cities and towns.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Garst, Senate file No. 366, a bill for an act in relation to the sentence of persons convicted of crime, and providing a system of parole.

Read first and second time and referred to Committee on Penitentiaries and Pardons.

By Senator Garst, Senate file No. 367, a bill for an act to amend chapter 163, acts of the Twentieth General Assembly, relating to stopping of trains at railway crossings.

Read first and second time and referred to Committee on Railways.

By Senator Funk, Senate file No. 368, a bill for an act to provide for the payment of the current expense fund for the Hospital for Insane in advance.

Read first and second time and referred to Committee on Ways and Means.

By Senator Junkin, Senate file No. 369, a bill for an act fixing the place in which actions on certain contracts relating to insurance shall be brought.

Read first and second time and referred to Committee on Insurance.

Senator Bell moved that 500 copies of Senate file No. 327 be printed.

Carried.

Senator Ellison offered the following resolution and moved its adoption.

Resolved, That on and after the 5th day of March, 1896, the Senate meet at 9:30 A. M., until otherwise ordered.

Adopted.

Senator Trewin asked excuse for Senator Upton.

On request of Senator Cheshire, leave of absence was granted Senator Carpenter until Wednesday.

Senator Hospers was excused until Wednesday on request of Senator Trewin, and Senator Alexander until Wednesday on request of Senator Sargent.

REPORT OF STANDING COMMITTEES.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 160, a bill for an act to revise, amend and codify the laws in relation to the system of common schools, and to provide for a simple

form of district organization; also defining the powers and duties of boards of directors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass with amendments, which are incorporated into the copy thereof accompanying this report, and that the bill be printed as amended.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 210, a bill for an act relating to the making of claims and bringing suits against municipal corporations, including cities organized under special charters, for damages resulting from the unsafe condition of highways or bridges therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor, and that said substitute do pass:

SUBSTITUTE FOR SENATE FILE NO. 210.

A bill for an act to amend chapter 25 of the acts of the Twenty-second General Assembly, relating to notice of jury.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1 of chapter 25 of the acts of the Twenty-second General Assembly be amended by striking out the word "six" in the sixth line of said section and inserting in lieu thereof the word "three;" also by striking out the word "ninety" in the ninth line of the same section and inserting in lieu thereof the word "thirty."

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 339, a bill for an act to amend section 1324 of the Code of Iowa, as amended by chapter 104 of the acts of the Nineteenth General Assembly, relating to telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that it do pass so amended:

SUBSTITUTE FOR SENATE FILE NO. 339.

A bill for an act to amend section 1324 of the Code of Iowa, as amended by chapter 104 of the acts of the Nineteenth General Assembly, relating to telegraph and telephone lines.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1324 of the Code of 1873, as amended by chapter 104 of the acts of the Nineteenth General Assembly, be amended by adding at the end thereof the following:

"And, *provided* further, that no telegraph or telephone line shall be either constructed or maintained in any street or alley of any city or town in this state, except by permission of the council of such city or town."

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred substitute for Senate file No. 29, a bill for an act to authorize and regulate primary elections of voluntary political parties or associations and to punish frauds therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted therefor and that the substitute do pass.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 352, a bill for an act to provide for selecting and drawing jurors in superior courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Code Revision

L. A. ELLIS,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 128 a bill for an act to amend section 4535 of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Code Revision.

L. A. ELLIS,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 69, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted it do pass.

SUBSTITUTE FOR SENATE FILE NO. 69.

A bill for an act to amend section 1078 of the Code of 1873, providing for transfer of corporate stock when used as collateral security.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1078 of the Code is hereby amended by adding thereto the following: And *provided* further, that when any shares of stock shall be transferred to any corporation as collateral security, such corporation may notify the secretary of the corporation whose stock is transferred as aforesaid, and from the time of such notice and until notice that said stock shall have ceased to be held as collateral security, said stock so transferred and noticed as aforesaid shall be considered in law as transferred on the books of the corporation which issued said stock without any actual transfer on the books of such corporation of such stock. In such case it shall be the duty of the secretary or cashier of the corporation to which such stock shall have been transferred as collateral security, at once upon its ceasing to be so held to inform the secretary of the corporation issuing such stock of such fact.

The secretary of the company whose stock is transferred as collateral shall keep a record showing such notice of transfer as collateral and notice of discharge as collateral, subject to public inspection. And *provided* further, that no holder of stock as collateral security shall be liable for assessments on the same.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 109, a bill for an act creating and establishing appellate courts and defining the power and jurisdiction thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed; while the committee realize the importance of this measure considering the crowded condition of the docket of the supreme court, nevertheless they think the time inopportune to present and mature such a measure, from the fact that extraordinary duties devolve upon this session of the Legislature by reason of the consideration of the Code revision.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of C. P. Wells for pardon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that he be pardoned.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Trewin asked that 600 copies of amended Senate bill No. 160 be printed.

Senator Carney asked that 500 copies of substitute for Senate file No. 29 be printed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 288, a bill for an act to amend section 3, chapter 105 of the acts of the Twenty-second General Assembly, by providing for the compensation of the members of the soldiers' relief commission.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House file No. 97, a bill for an act relating to the creation of liens upon exempt personal property.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House file No. 290, a bill for an act to amend section 1, chapter 1 of the acts of the Twenty-fifth General Assembly, establishing a board of park commissioners in certain cities of the first class, defining their powers, and describing their duties.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 34, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 196, a bill for an act relative to trimming osage orange, willow and other hedge used for division fence.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 275, a bill for an act to amend section 3061 of the Code of 1873, in relation to stay of execution.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 79, a bill for an act to authorize kindergartens in independent school districts.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 146, a bill for an act to amend section 4305 of McClain's Code, relating to the expenditure of insane soldiers' pensions.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 54, a bill for an act to authorize the directors of independent school districts to establish industrial training departments.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 317, a bill an act to pay for the expense of procuring badges for certain employes of the Twenty-sixth General Assembly.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 174, a bill for an act to amend section 1395 of the Code of 1873, in relation to commissioners of insanity.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 63, a bill for an act to amend section 3861 of the Code, as amended by section one (1) of chapter 114 of the acts of the Twenty-first General Assembly, in relation to offenses against the life and person.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

Substitute for Senate file No. 111, a bill for an act to authorize the state or any county or other municipal corporation to receive, hold and manage gifts, devises and bequests made thereto absolutely or in trust for specific purposes.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Resolved, by the House, the Senate concurring, That the executive council be authorized and empowered to repair the Capitol elevators by putting in modern improvements, as soon as can be conveniently done, and to draw from the state treasury the sum needed to pay for the same.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Resolved, by the House of Representatives, the Senate concurring, That the Twenty-sixth General Assembly of the State of Iowa, on its own behalf, and on behalf of the people of Iowa, extends to the Senators and Representatives in Congress its thanks for their patriotic action in recognizing the belligerent rights of the Cubans, who are struggling for the priceless boon of liberty and the privilege of self government. The people of these United States have ever sympathized with humanity in its struggles for freedom, and the people of Iowa have inscribed no empty boast upon their shield, "Our liberties we prize and our rights we will maintain." One of our rights is to sympathize with the brave fighting for freedom, and this right we are ready to maintain at any cost, hereby tendering to the President and Congress the moral and material resources of this commonwealth in any emergency which may arise, growing out of their action in expressing so courageously the "American Doctrine."

That a copy of this resolution be sent to each of our Senators and Representatives in Congress.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

JOINT RESOLUTION NO. 13.

Be it Resolved by the General Assembly of the State of Iowa:

That in the opinion of the General Assembly, the State of Iowa is entitled under and by virtue of the proposition made thereto by the Congress of the United States by an act supplemental to the act for the admission of the State of Iowa and Florida into the Union, approved March 3, 1845, and an act of the General Assembly of the state, entitled an act and ordinance accepting the proposition made by Congress on the admission of Iowa into the Union as a state, approved January 15, 1849, to 5 per centum on the government price of all lands sold in this state by the United States for military land warrants and script since January 15, 1849; and, be it further

Resolved, That the Governor of this state be and he is hereby instructed to transmit a copy of this joint resolution and memorial to each of the Senators and Representatives in Congress with the request that they lay the subject before their respective bodies, and use all and every appropriate means to secure the present provisions for the payment of the 5 per centum aforesaid.

JAMES D. ROWEN,
Chief Clerk

HOUSE MESSAGES.

Senate file No. 111, a bill for an act to authorize the acceptance of gifts to public institutions, was passed on file.

A concurrent resolution relative to Cuba, was read and referred to Committee on Federal Relations.

By Mr. McArthur, House file No. 63, a bill for an act to amend section 8861 of the Code, as amended by section 1, chapter 114, acts of the Twenty-first General Assembly, in relation to offenses against the life and the person.

Senator Trewin moved that the bill be placed on the Calendar.
Carried.

House file No. 288, a bill for an act to amend section 3, chapter 105, acts of the Twenty-second General Assembly, by providing for the compensation of the members of the soldiers' relief commission, was read first and second time and referred to Committee on Military.

House file No. 34, a bill for an act to amend section 1073 of the Code of 1873, to provide for transfer of corporate stock when used as collateral security, was read first and second time and referred to Committee on Judiciary.

Substitute for House file No. 290, a bill for an act to authorize the assessment, levy and collection of taxes for park purposes, was read first and second time and referred to Committee on Cities and Towns.

Substitute for House file No. 97, a bill for an act relating to the creation of liens upon exempt personal property, was read first and second time and referred to Committee on Judiciary.

A concurrent resolution relative to repairing elevators was passed on file.

House file No. 275, a bill for an act to amend section 3061 of the Code of 1873, in relation to stay of execution, was read first and second time and referred to Committee on Judiciary.

House file No. 196, a bill for an act relative to trimming osage orange, willow or other hedges used for division fences, was read first and second time and referred to Committee on Judiciary.

House file No. 174, a bill for an act to amend section 1395 of the Code of 1873, in relation to the commissioners of insanity, was read first and second time and referred to Committee on Judiciary.

House file No. 317, a bill for an act to pay the expenses of procuring badges for certain employes of the Twenty-sixth General Assembly, was read first and second time and referred to Committee on Appropriations.

House file No. 54, a bill for an act to authorize the directors of independent school districts to establish industrial training departments, was read first and second time and referred to Committee on Schools.

House file No. 146, a bill for an act to amend section 4305 of McClain's Code, relative to expenditure of insane soldiers' pension, was read first and second time and referred to Committee on Military.

Joint Resolution No. 13, relative to 5 per cent funds, was read first and second time and referred to Committee on Federal Relations.

House file No. 79, a bill for an act to authorize kindergartons in independent school districts.

Senator Trewin moved that the bill be taken up now.

Carried.

Senator Trewin moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Everall, Funk, Garst, Gorrell, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Sargent, Trewin—27.

The nays were:

Senators Berry, Blanchard, Bonson, Byers, Downey, Hurst, Ranck—7.

Absent or not voting:

Senators Alexander, Carpenter, Ericson, Gilbertson, Harper, Harriman, Healy, Hipwell, Lehfeldt, Mitchell, Penrose, Rigger, Rowen, Upton, Waterman, Young—16.

So the bill passed and its title agreed to.

Senator Carroll moved that the time of adjournment be extended ten minutes.

Carried.

Senator Ellis moved to take up House Joint Resolution No. 13.

Carried.

Senator Ellis moved that the joint resolution be concurred in.

On the question, "Shall the joint resolution be concurred in?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Henderson, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Young—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Carpenter, Ericson, Harper, Healy, Hipwell, Hobart, Lehfeldt, Mitchell, Rigger, Upton, Waterman—13.

So the joint resolution was concurred in.

Senator Rowen offered the following and asked that it be printed in the Journal:

If I had been present when House file No. 79 was voted upon, I would have voted "aye."

J. E. ROWEN.

The Journal of Saturday was taken up, read, corrected and approved.

Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, March 4, 1896. }

Senate met in regular session at 10 o'clock A. M, President Parrott presiding.

Prayer was offered by Rev. Dr. J. E. Cathill, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Harper presented five petitions of F. J. Keeler, J. A. Keppisch, A. Wilson, Mark S. Foote, J. H. Witto and others, relating to primary elections.

Referred to Committee on Elections.

Senator Harper presented petition of J. T. Smith and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Byers presented petition of H. L. Mark and others in regard to express companies.

Referred to Committee on Railways.

Senator Byers presented petition of W. E. Caldwell and others, relative to resubmission of the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Senator Craig presented petition of C. A. Draper and others, relative to normal schools.

Referred to Committee on Educational Institutions.

Senator Carney presented two petitions of E. H. Hulbert and others and J. L. Williams and others, relative to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Alexander presented petition of E. W. Winter and others, relative to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Bell presented petition of citizens of Jefferson county, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Young presented petition of J. W. Lake and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Young presented petitions of Walter L. Davis, F. H. Linn and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Harriman presented petition of W. L. McEwen and others, relating to public school fund.

Referred to Committee on Schools.

Senator Harriman presented petition of E. E. Rugg and others, relating to normal schools.

Referred to Committee on Educational Institutions.

Senator Hotchkiss presented four petitions of citizens of Dallas county, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Trewin presented petition of citizens of Allamakee, relative to equal rights.

Referred to Committee on Constitutional Amendments.

Senator Phelps presented two petitions of J. C. French and others and W. A. Worthing and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Rikken presented petition of Alex. Cooke and others, relating to express companies.

Referred to Committee on Railways.

Senator Gorrell presented remonstrance of the Ministerial association of Newton against the manufacturing bill, and asked that it be read.

Referred to Committee on Suppression of Intemperance.

Senator Penrose presented petition of John Wallace and others, relating to age of consent.

Referred to Committee on Judiciary.

Senator Penrose presented remonstrance of C. H. Trowbridge and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Allyn presented two petitions of citizens of Mt. Ayr and Arispe, relating to express companies.

Referred to Committee on Railways.

Senator Gilbertson presented petition of J. T. Thompson and others, relating to normal schools.

Referred to Committee on Educational Institutions.

Senator Berry presented petition of Fred Smith and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Garst presented petition of N. F. Russell and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Ericson presented remonstrance of H. A. Cobb and others, against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Ellis presented remonstrance of Wm. Scott and others, against manufacture of liquors.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Phelps, Senate file No. 370, a bill for an act to amend section 853, chapter 1, title 6 of the Code as amended by chapter 36, acts of the Twenty-fourth General Assembly, relating to the lien of taxes between vender and vendee.

Read first and second time and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 371, a bill for an act to legalize certain taxes levied by counties pursuant to chapter 200, acts of the Twentieth General Assembly, as amended by chapter 22 of the acts of the Twenty-fifth General Assembly.

Read first and second time and referred to Committee on Judiciary.

By Senator Hobart, Senate file No. 372, a bill for an act to increase the number of judges in the Fourth judicial district of Iowa.

Read first and second time and referred to Committee on Congressional and Judicial Districts.

REPORT OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 259, a bill for an act to repeal sections 1 and 5 of chapter 157 of the laws of the Twenty-first General Assembly of the State of Iowa, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Code Revision.

L. A. ELLIS,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 141, a bill for an act to protect the interest of parties for whose benefit security was given, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted it do pass:

A BILL

For an act to protect the interests of parties for whose benefit security was given.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. It shall be the duty of the clerk of the district court to keep a record of the surety or sureties on all bonds of administrators, executors, guardians and trustees, alphabetically arranged as to the names of the sureties, and showing also the name of the estate or guardianship in which said bonds are given.

SEC. 2. It shall be the duty of the clerk of the district court to examine the death returns made to his office, under the law governing the return of deaths by the state board of health, and of the probate records of which he is clerk, and when it shall appear therefrom that a person who was surety upon any bond of any trustee, executor, guardian or administrator has died, he shall file a contingent claim against the estate of such person for the full amount of the bond or bonds signed by such deceased as surety in the name of the estate or guardianship in which said bond was given.

SEC. 3. If no administration is granted on the estate of any person who signed any such bond as surety after the death of such person, the clerk shall give notice in writing to the heirs of such deceased person under his hand and seal stating the death of such person; that such person was surety on certain bond or bonds, giving the title of the cause in which such bonds were given and the amount thereof; setting forth that unless administration is granted upon said estate within sixty days thereafter that application will be made to the district court on behalf of those interested, that an administrator will be appointed to administer upon said estate in the interest of the persons for whom said bond or bonds were executed, and that the persons in whose interest said bond or bonds have been executed may thereupon file a contingent claim against such estate, and which claim shall be taken up and heard under the same rules and regulations now provided by law in considering claims against an estate. *Provided*, however, that the court may on application of the parties interested therein require any trustee, executor, guardian or administrator to fully account for all money and property coming into his hands, and may if the same is fully accounted for and placed into the hands of the clerk of the district court relieve or discharge the estate under said bond, all costs growing out therefor having been first paid by the said estate. If said trustee, executor, guardian or administrator does not so fully account for said estate, then, in that event, the whole or any part not thus accounted for shall be allowed and held as a claim against said estate.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 213, a bill for an act to amend sections 2 and 3 of chapter 69 of the acts of the Twenty-fifth General Assembly, to fix the regular

term of the additional supreme judge, provided for in said act, and to extend the term of the present incumbent, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 34, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in, for the reason that the subject matter is already embodied in a bill now before the Senate.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 174, a bill for an act to amend section 1395 of the Code of 1873, in relation to commissioners of insanity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in, for the reason that the subject has been embodied in a bill already before the Senate.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 275, a bill for an act to amend section 3061 of the Code of 1873, in relation to stay of execution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in for the reason that the subject matter is embodied in a bill now before the Senate

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House file No. 97, a bill for an act relating to the creation of liens upon exempt personal property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be concurred in.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 356, a bill for an act amending section 2410 of the Code, relative to the statutory denial of claims filed against estate of decedents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by making a comma for the period at close at section 1 and adding the following words: “ but that the executor or administrator may, on the trial of said cause, subject the claimant to an examination on the question of payment, but the estate shall not be concluded thereby.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Pusey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred concurrent resolution of the House, relative to recognizing the belligerent rights of the Cubans, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be concurred in by the Senate.

N. M. PUSEY,
Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 135, a bill for an act to amend sections 1766 and 1767, chapter 9, title 12 of the Code of Iowa, in relation to teachers' certificates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Rigger, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred House file No. 243, a bill for an act to amend section 2, chapter 35 of the acts of the Twenty-third General Assembly, relating to permits of registered pharmacists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be substituted for Senate file No. 226, and when so substituted that it do pass and be allowed to take the place of Senate file No. 226 on the Calendar.

J. A. RIGGER,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes in Dickinson county to be public navigable waters, and to provide for their preservation and improvement for navigation for the benefit of public health and for the culture of fish therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 275, a bill for an act to prevent the placing of insurance by agents outside of the state and providing penalties therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Pusey asked unanimous consent to take up concurrent resolution relative to independence of Cuba.

Resolution was read and adopted.

Senator Carroll asked permission to withdraw Senate file No. 122 from Committee on Ways and Means and refer it to Committee on Cities and Towns.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 378, a bill for an act providing a substitute for chapter 6 of title 9 of the Code of 1873, for establishing and governing mutual building and loan associations.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House file No. 188, a bill for an act to provide for the erection of necessary buildings therefor for the State University of Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 440, a bill for an act to legalize the organization and official proceedings of the incorporated school district of Cooper, in Greene county, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 278, a bill for an act to legalize certain warrants on the general fund and certain funding and refunding bonds issued by the city of Ottumwa, Iowa.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON THIRD READING.

The hour for special order having arrived, the building and loan bill was taken up and the report of the committee was adopted.

Senator Eaton moved that the bill be read by sections.

Carried.

Senator Eaton offered the following amendment to section 3:

Strike out the words "town or" and insert after the word "county" the words "in which is situated the town or city" in line 3, and strike out the word "town or" in the sixth line, and also strike out the words "of its principal place of business" in the seventh line, and insert in lieu thereof the words "in which is situated the town or city"; also by inserting after the word "incorporation" in the seventh line the words "as its principal place of business."

Adopted.

Senator Blanchard offered the following amendment to section 5:

Strike out the words "of becoming and" in line 3, and strike out the word "member" and insert "membership."

Lost.

Senator Palmer offered the following amendment to section 10.

Strike out line 2, all after the word "demand."

Lost.

Senator Healy offered the following amendment to section 11, line 3:

Amend section 3 by inserting after the word "delinquent" in third line the words "up to the time decree is entered."

Lost.

Senator Eaton offered the following amendment:

I move to amend section 14 by striking out the words "any share" and insert in lieu thereof "every one hundred dollars of;" and by striking out the words "per share" and insert in lieu thereof the words "for every one hundred dollars of."

Adopted.

Senator Blanchard moved to amend section 16, line 4, by inserting the words "or owned by."

Lost.

Senator Waterman offered the following amendment to section 16:

Strike out in line 6 the words "a part" and insert the words "any number of shares."

Adopted.

Senator Carroll offered the following amendment to section 17, line 3:

Insert after the word "vote" in line 3, the words "either directly or indirectly."

Lost.

Senator Eaton offered the following amendment to section 19:

Strike out all after the word "directors" in the second line, to and including "earnings" in seventh line.

Adopted.

Senator Carney moved to extend the time of adjournment until the bill now under discussion be disposed of.

Senator Harper moved to amend by making the time 2 o'clock P. M., to-day, when the Senate does adjourn.

Senator Funk moved to amend the amendment by striking out the words, "2 o'clock P. M., to-day," and insert "9 o'clock A. M., to-morrow."

The amendment to the amendment prevailed.

On the original motion as amended the motion prevailed.

Senator Healy moved to extend the time of adjournment until 12:15 P. M.

Carried.

Senator Ellis moved to amend the bill by striking out "sub-division 1" of section 21.

Senator Cheshire moved to extend the time of adjournment until 1 o'clock P. M.

Lost.

Senator Hotchkiss moved that the time be extended until 12:30 P. M.

Lost.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, March 5, 1896. }

Senate met pursuant to adjournment at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. A. V. Gorrell, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Pusey presented petition of J. Troup and others, relating to fraternal beneficiary associations.

Referred to Committee on Judiciary.

Senator Alexander presented petition of S. G. Switzer and others on the same subject.

Referred to Committee on Judiciary.

Senator Carney presented petition of W. S. McBride and others in favor of manufacturing liquors.

Referred to Committee on Suppression of Intemperance.

Senator Everall presented memorial of Henry Howard Post No. 259, for an appropriation for the Soldiers' Home.

Referred to Committee on Appropriations.

Senator Trewin presented two remonstrances of P. C. Doyle, J. M. Kelly and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Ranck presented petition of L. Zimmerman and others for the passage of Senate file No. 160, and asked that it be read.

Referred to Committee on Schools.

Senator Gilbertson presented petition of S. R. Cross and others for equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Sargent presented several petitions of citizens of Black Hawk and Grundy counties on same subject.

Referred to Committee on Constitutional amendments.

Senator Ellison presented petition of Edward Bye and others favoring equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Penrose presented petition of H. B. Harradon and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Druet presented petitions of Thos. Wilson, S. Smith and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Druet presented petition of J. K. Cathcart and others relating to express companies.

Referred to Committee on Railways.

Senator Penrose presented petition of J. B. Young and others for additional normal schools.

Referred to Committee on Educational Institutions.

Senator Trewin presented petition of Haug & Co. and others, relative to seining the sloughs of the Mississippi.

Referred to Committee on Fish and Game.

Senator Hotchkiss presented petition of E. A. Trout and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Waterman presented petition of grocers of Ottumwa for licensing peddlers.

Withdrawn.

Senator Harper presented remonstrance of Samuel B. Heiser and others against medallions on soldiers' monument.

Referred to Committee on Military.

Senator Berry presented memorial of Osceola Post, No. 173, in relation to Soldiers' Home.

Referred to Committee on Military.

Senator Craig presented petition of Rev. J. B. Albbrook and others for equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Craig presented petition of Ira Leverick and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Craig presented petition of W. H. Bennington and others relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Hospers presented petition of Minnie B. Graves and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Harriman presented petition of Gilbert Thompson and others for transportation of school pupils.

Referred to Committee on Schools.

Senator Lothrop presented petition of R. N. Morgan and others, relating to Senate file No. 239.

Referred to Committee on Public Health.

Senator Lothrop presented several remonstrances of citizens of Morgan, Grant, Wolf Creek and Rock townships, Woodbury county, and others from same county, against establishing stub courts

Referred to Committee on Judiciary.

Senator Hospers presented petition of citizens of Orange City, favoring equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Allyn presented petition of Mrs. Mary Lang and others on same subject.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Ranck (by request), Senate file No. 373, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

Read first and second time and referred to Committee on Judiciary.

By Senator Bonson, Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, from March 17, 1882 to February 26, 1896.

Read first and second time and referred to Committee on Judiciary.

By Senator Bonson, Senate file No. 375, a bill for an act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town since July 20, 1895.

Read first and second time and referred to Committee on Judiciary.

By Senator Penrose, Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said town.

Read first and second time and referred to Committee on Judiciary.

By Senator Carney, Senate file No. 377, a bill for an act to amend section 6, chapter 43, acts of the Twenty-third General Assembly, relating to vagrants.

Read first and second time and referred to Committee on Cities and Towns.

Senator Palmer offered the following concurrent resolution and moved its adoption.

CONCURRENT RESOLUTION.

Resolved, by the Senate, the House concurring, That a joint convention be held in the Hall of the House on Friday, March 6th at 11:45 A. M., for the purpose of filling the vacancy in the trustees of the Insane Hospital at Mt. Pleasant, occasioned by the death of Hon. Samuel Klein of Lee county.

Adopted.

Senator Ellison offered the following resolution, and moved its adoption:

Resolved, That on and after the 6th day of March, 1896, the Senate shall meet at 9 o'clock A. M. and adjourn at 12 o'clock M., until otherwise ordered.

Adopted.

HOUSE MESSAGES.

House file No. 440, a bill for an act to legalize the organization and official proceedings of the incorporated school district of Cooper, in Greene county, Iowa, was read first and second time.

Senator Harper moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Byers, Carpenter, Harriman, Hipwell, Hurst, Kilburn, Lehfeldt, Young—8.

So the bill passed and the title was agreed to.

Substitute for House file No. 188, a bill for an act to provide for the erection of necessary buildings therefor for the State University of Iowa, was read first and second time and referred to Committee on Ways and Means.

House file No. 378, a bill for an act providing a substitute for chapter 6 of title 9 of the Code of 1872, for establishing and governing mutual building and loan associations, was read first and second time and referred to Committee on Building and Loan.

Senate file No. 278, a bill for an act to legalize certain warrants on the general fund and certain funding and refunding bonds issued by the city of Ottumwa, Iowa, was read first and second time.

Senator Waterman moved that the Senate concur in the House amendment to Senate file No. 278.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Bonson, Byers, Carpenter, Hipwell, Hurst, Kilburn, Lehfeldt—7.

So the amendment was concurred in.

REPORTS OF STANDING COMMITTEES.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 315, a bill for an act to provide for the payment of the mileage of the committees appointed to visit state institutions.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 57, a bill for an act to revise, amend and codify the statutes relative to the militia.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file

No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 106, a bill for an act regulating the forfeiture of contracts for sale of real estate.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 40, a bill for an act to enable boards of directors to provide free text books for pupils in the public schools.

G. S. GILBERTSON,
Chairman.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House file No. 288, a bill for an act to amend section 3 of the acts of the Twenty-second General Assembly, by providing for the compensation of the members of the soldiers' relief commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Joint Resolution No. 11, to authorize the commissioners of the Iowa Soldiers' Home to admit Caroline Crocker Robinson to the home as a member, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa infantry, for "gray" uniforms purchased during the war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: In line 2 of section 1 strike out after the word "of" and before the

word "dollars" the words and figures "four thousand (4,000)" and substitute the words "twenty-five hundred," and when so amended the bill do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 364, a bill for an act to amend chapter 74, acts of the Eighteenth General Assembly, pertaining to militia, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this state by insurance companies, associations, partnerships, individual or individuals, without their having complied with the insurance laws of this state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 320, a bill for an act for the better protection of members and beneficiaries of beneficiary organizations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 125, a bill for an act to relieve F. M. Heskett, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out the words "one hundred and seventy-five" in second line of section 1, and insert in lieu thereof the word "eighty," and when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 123, a bill for an act to reimburse J. L. Brown as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and his official rights and duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Strike out the words "six thousand three hundred and seventy" in the eighth and ninth lines of section 1 and insert in lieu thereof "four thousand," and when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 371, a bill for an act to legalize certain taxes levied by counties pursuant to chapter 200, acts of the Twentieth General Assembly as amended by chapter 22, acts of the Twenty-fifth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman pro tem.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 257, a bill for an act to aid in bringing the reports of the Iowa supreme court decisions up to date, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Claims.

L. A. ELLIS,
Chairman.

So referred.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 283, a bill for an act to permit the replatting of private cemeteries by the owners thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 330, a bill for an act to authorize counties, cities and other municipal corporations to take and hold gifts or bequests and to manage the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the matter is incorporated in Senate file No. 111.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 98, a bill for an act to amend sections 509 and 510 of the Code of 1873, relating to changing class of towns and cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the subject matter is in the proposed Code, and is under consideration by the committee having it in charge.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 260, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works, and to provide for the management thereof, and giving them additional powers in respect thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended to read as follows, and that it do pass so amended:

A BILL

For an act to enable cities of the first class to buy or construct water-works and to provide for the management thereof, and giving them additional powers in respect thereto.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Cities of the first class shall have power to levy, in addition to the water tax authorized by law, a tax of 2 mills upon the dollar upon all the property within the corporate limits of said cities, excepting lots greater than ten acres in area, used for horticultural or agricultural purposes, for the purpose of creating a sinking fund to be used as provided in this act, for the purchase or erection of water works in such cities. The proceeds of such 2 mill levy shall be deposited in one or more solvent banks or trust companies of the city making such levy, at a rate of interest not less than 4 per cent. per annum, compounded semi-annually, and payable, principal and interest, on demand, after sixty days notice in writing. The city treasurer depositing the proceeds of such tax shall exact from the

bank or trust company wherein such money is deposited a satisfactory bond, payable to the city, to be approved by the treasurer and mayor of such city, and to be filed in the office of the city treasurer.

SEC. 2. Any member of the city council, or any officer of any city levying and collecting taxes under the provisions of this act, who shall, in any manner, participate in or advise the diversion of any part of said tax to any other purpose than that provided for in this act, shall be deemed guilty of the crime of embezzlement, and shall be punished accordingly.

SEC. 3. Cities of the first class are hereby authorized to purchase or erect water works, under the provisions of this act, for the purpose of supplying said cities and the inhabitants thereof with water, and are authorized to continue the levy of the 2 mill tax herein provided for, until the purchase price, principal and interest, or the cost incurred in the erection of said works, is fully paid and discharged.

SEC. 4. Cities levying such sinking fund tax are hereby authorized to contract for the purchase or erection of waterworks, and, upon the approval and adoption of such contract as hereinafter provided, to apply such sinking fund upon the cost thereof, and are authorized to pledge the proceeds of the continuing 2 mill levy, provided for in section 1 hereof, and the regular water levy, and the net revenues derived from the operation of the waterworks, and shall have the right to mortgage or bond such works, to secure the payment of the purchase price or the cost of constructing such waterworks; *provided*, however, that no part of the general fund of such city shall be applied upon such contracts, bonds or mortgage. In the payment thereof the city and the holders of the said contracts, bonds, or mortgages, shall be restricted to the proceeds of the said taxes and the net revenues of the said waterworks as hereinbefore provided; and such contracts or bonds shall not bear a higher rate of interest than 5 per cent. per annum, payable semi-annually.

SEC. 5. Said contract shall not be binding upon any city until the same shall have been approved by the mayor and a majority of the city council at a regular meeting or a special meeting called for such purpose, and shall have been adopted by a majority of the electors of said city voting at a special election which shall have been duly called after thirty days' notice by said city. The proposition to be submitted at said election and the form of ballot shall be: "Shall the contract approved by the mayor and city council, in relation to water works, be adopted?" The proposition shall be printed and placed on the ballots and the voter shall designate his choice and the election shall be conducted in the manner provided in the general election law.

SEC. 6. The water works purchased, purchased or erected by such city, shall be managed and operated by a board of water works trustees, which shall be composed of three electors, appointed for the term of six years by the district court of the county wherein such city is located.

Upon the approval of the contract for the purchase or erection of water works by such city, the mayor of the city shall apply, within ten days thereafter, to said district court for the appointment of such board of water works trustees, the first appointees thereto to hold office for the following terms, namely: One for two years, one for four years, and one for six years. All vacancies occurring on such board, occasioned by expiration of

term, by death, resignation or removal, shall be filled by appointment of the district court, upon an application made by the mayor of such city. The appointment of such board shall be approved by a majority of the judges presiding over such district court.

SEC. 7. The compensation of the members of such board of trustees shall be fixed upon the application of such board, by said district court, in such amounts as the court may deem reasonable and proper; *provided*, however, that the same shall not be changed more frequently than once in two years.

The district court shall require such trustees to execute to said city good and sufficient bonds, to be approved by said court, and when executed and approved, to be filed and kept with the city treasurer.

SEC. 8. The said board of trustees shall have the power to carry into execution the contract for the purchase or erection of such waterworks, and to employ a superintendent and such other employes as may be necessary and proper for the operation of such works, for the collection of water rentals and for the conduct of the business incident to the operation thereof.

SEC. 9. The said board of trustees shall require of the superintendent and of the other employes as they may deem proper, good and sufficient bonds, the amount thereof to be fixed and approved by said board, for the faithful performance of their duty, such bonds to run in the name of the city and to be filed with the city treasurer and kept in his office.

SEC. 10. The said board of water works trustees shall from time to time fix the water rentals or rates to be charged for the furnishing of water, and such rates shall be sufficient together with the proceeds of the five-mill water levy and the sinking fund levy of two mills, for the maintenance and operation of such works, the proper and necessary extension thereof, for all repairs, and for the payment of the purchase money or cost, principal and interest, incurred in the purchase or erection of such works, as the same falls due, according to the tenor of the mortgage and bonds given to secure the payment of such purchase price or cost.

SEC. 11. The said board of water works trustees shall make out and file in the office of the city clerk, quarterly statements giving full and complete reports of the receipts and disbursements handled and disbursed by them in the administration of their trust, such reports to be filed on the second Monday of January, April, July and October for the quarters preceding the first days of said months. Such reports shall be audited by the board of public works of such city. In the event, however, that said city may not have a board of public works, such reports shall be audited by the city council.

SEC. 12. All trustees appointed under this act shall be subject to removal by the district court for malfeasance in office.

SEC. 13. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 46, a bill for an act granting additional powers to certain cities of the second class and incorporated towns, relating to the construction of sewers or tile drains, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor, that said substitute be printed and that it do pass:

A BILL

For an act granting additional powers to certain cities of the second class and incorporated towns, relating to the construction of sewers or tile drains.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Cities of the second class having less than 5,000 population and incorporated towns shall have the power to construct sewers or tile drains along streets and alleys therein and to levy special taxes for the same against the abutting property and the owners thereof, whenever the resident owners of a majority of the linear front feet of the property subject to such assessment, petition therefor.

SEC. 2. If the assessment is made against property on one side of the street or alley only, the sewer or drain shall be built on that side, and such property shall be entitled to the benefits thereof, but if made against property on both sides of the street or alley the same shall be so built and located as to be of the greatest benefit to all the property assessed therefor.

SEC. 3. All the owners of property assessed for such sewers or drains shall have the free use thereof, under reasonable rules and regulations adopted by the city or town.

SEC. 4. Such city or town shall have power to regulate by ordinance the size, kind and manner of construction of any such sewer or drain, and to provide the terms and conditions under which the property not taxed therefor may have the benefit of the same.

SEC. 5. The method of assessment, levy, collection and payment of such special taxes shall be the same as in cities of over 5,000 population, except that such tax shall not exceed one dollar per linear front foot.

SEC. 6. The cost of constructing sewers and drains in excess of one dollar per linear front foot and across intersecting streets and alleys shall be paid from the general fund.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Healy, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 170, a bill for an act regarding fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass as amended.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy asked that Senate file No. 170, as amended, be printed.

AMENDED BILL, SENATE FILE NO. 170.

A bill for an act regarding fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1 Any corporation for pecuniary profit, hereafter organized under the laws of the state, shall pay to the Secretary of State, before a certificate of incorporation is issued, an incorporation fee of \$25, and for all capital stock in excess of \$10,000 an additional fee of \$1 per thousand upon all of its authorized capital stock; *provided*, that this act shall not apply to building and loan associations, and in no event shall the fees collected under this act exceed the sum of \$350.

SEC. 2. Any corporation now organized and doing business under the laws of this state that shall increase its capital stock, shall pay a fee to the Secretary of State of \$1 for each thousand dollars of such increase.

SEC. 3. It shall be unlawful for any corporation to do business unless the articles of any such corporation are filed with the Secretary of State and unless such fee or fees are paid within thirty days from the filing of the same with the proper county recorder, its organization shall be deemed incomplete and shall be held to be invalid as a body corporate.

SEC. 4. All acts or parts of acts inconsistent herewith are repealed.

SEC. 5. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

REVENUE REPORT OF SENATE WAYS AND MEANS COMMITTEE.

MR. PRESIDENT—I am instructed by the Committee on Ways and Means to submit to the Senate the following statement and estimate concerning the finances of the state:

Cash in general revenue fund February 29, 1896.....	\$ 37,150.75
Warrants outstanding at that date.....	39,756.11
	<hr/>
Leaving the fund overdrawn.....	\$ 2,605.36
At that date the Auditor held requisitions for the support of various institutions calling for warrants before March 1 amounting to.....	\$ 22,740.00
Estimated receipts for March.....	148,000.00
Estimated expenditures, including requisitions above mentioned.....	165,500.00
	<hr/>
Excess expenditures	\$ 17,500.00
This excess added to amount overdrawn February 29.....	2,605.36
	<hr/>
Making overdraft April 1.....	\$ 20,105.36

Receipts for two years beginning April 1st, estimated as follows:

1896, nine months.....	\$1,590,000.00
1897, twelve months (two mills tax).....	1,770,000.00
1897, three months (two mills tax).....	420,000.00

\$3,780,000.00

Estimated expenditures for same period.....	\$3,250,000.00
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Receipts in excess.....	\$ 530,000.00
Extraordinary appropriations subject to draft.....	\$ 169,307.99
Added to amount overdrawn April 1st	20,000.00
Lowers aggregate of resources.....	189,000.00

Leaving available for the period.....	\$ 341,000.00
Available from extraordinary appropriations undrawn April 1, 1898, probably.....	\$ 50,000.00

Making the amount available.....	\$ 391,000.00
Increase of levy to two and one-half mills for balance of period	\$ 285,000.00

Will bring available resources for extraordinary appro- priations approximately	\$ 676,000.00
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The estimate of receipts above given is based on those of 1895, during which a $2\frac{1}{4}$ mill tax was collected, and on those of 1894, when a 2-mill rate prevailed. The receipts for the last nine months of 1895 amounted to \$1,584,969.17. Those for the corresponding period of this year are estimated at nearly the same, or \$1,590,000. The aggregate valuation, it will be noted, is about \$8,000,000 lower than that on which the tax was collected, which would make the receipts somewhat lighter, but it is thought that the revenue from other sources will more than counter-balance the falling off in the proceeds of the direct tax. Again, the receipts of 1894, on a 2-mill levy, amounted to \$1,765,437.69. Those based on a corresponding levy in 1897 are estimated at \$1,770,000; the reasons thereof being the same as for this year's estimate.

The estimate of expenditures is based on that of the auditor, adding thereto the permanent appropriations made by the Twenty-fifth General Assembly to the Agricultural College, amounting for the two years to \$30,000 and about \$15,000 more, for estimated additional expense of running the penitentiaries, \$10,000, and the additional cost of stationery, binding and printing, \$5,000; in all \$45,000.

As a matter of information, it may be stated that the extraordinary appropriations of the Twenty-fifth General Assembly,

not covered by estimates, amounted to.....	\$ 623,794.57
To which was added permanent annual charges for the sup- port of state institutions, \$54,240, or for two years.....	108,480.00

Making an aggregate of appropriations above regular estimated expenditures.....	\$ 732,184.57
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We believe that the present depleted condition of the state treasury is to a considerable extent due to these reasons:

In order to cover the needs of the state institutions previous general assemblies have anticipated the general revenue considerably.

The state census and the Code revision have made important drafts upon the state treasury not included in previous estimates.

The money in the state treasury of the war and defense fund received from the general government and appropriated for the erection of the soldiers' monument had been used in meeting demands upon the state, and this fund has been called for during the last biennial period.

A. B. FUNK,
Chairman.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution, in which the concurrence of the House was asked, relative to joint convention.

JAMES D. ROWEN,
Chief Clerk.

Senate resumed consideration of building and loan bill, Senator Pusey having the floor.

Senator Healy moved the previous question on the pending amendment.

On the motion, "Shall the main question be now put?" the motion prevailed.

On the motion, "Shall the amendment be adopted?" the yeas were:

Senators Allyn, Bell, Bonson, Carney, Ellis, Ellison, Lothrop, Phelps, Pusey—9.

The nays were.

Senators Alexander, Berry, Blanchard, Byers, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—37.

Absent or not voting:

Senators Hurst, Lehfeltdt, Mitchell and Young—4.

So the amendment was lost.

President Parrott retired and President (*pro tem*) Funk took the Chair.

Senator Lothrop offered the following amendment:

I move to amend section 24 by striking out the words "one hundred" and the figures "(\$100)" in line 3 thereof, and inserting in lieu thereof the words and figures twenty-five (\$25)."

Lost.

Senator Eaton offered the following amendment:

I move to amend section 22, line 2, by striking out the letter "s" from the word "residents" and by inserting the word "shareholders."

Adopted.

Senator Ellison offered the following amendment:

I move to amend section 24 by adding at the end of said section the following: "*Provided*, that no association now doing business in this state shall be required to pay any franchise fee, except as provided for in section 24 of this act."

Lost.

Senator Berry offered the following amendment:

I move to add to section 25 the following as a substitute for section 8:

The names of each shareholder of such association residing in the State of Iowa, together with the post office address of each, and the number of shares owned by each of such persons on the first day of January preceding, and the cash value of each of such shares on said date.

Adopted.

Senator Carney offered the following amendment to section 25:

In the second line strike out the word "*February*" and insert "*March*" in lieu thereof.

Lost.

President Parrott presiding.

Senator Eaton offered the following amendment:

Insert after the word "*when*" the word "*twenty*," and strike out the words "*owning twenty per cent of the outstanding stock.*"

Adopted.

Senator Cheshire offered the following amendment:

I move to amend section 30 as amended by striking out the words "*the auditor*" where they first appear in the second line of said section, and also by inserting the word "*he*" after the word "*state*" in the second line.

Adopted.

Senator Harper offered the following amendment to section 31:

In the ninth line thereof of printed bill, after the word "*agents*," insert "*provided*, that no loan association now doing business in this state shall be required to pay any franchise fee, except as provided for in section 24 of this act."

Lost.

Senator Eaton offered the following amendment to section 32:

Strike out the word "*knowingly*" in the second line.

Adopted.

Senator Ellis moved to amend the bill by transposing the words "*falsely swear*" in second line of section 33.

Adopted.

Senator Trewin moved to amend section 36 by inserting the word "shall" after the word "and" in the third line, and by adding "s" to the word "contract" in same line.

Carried.

Senator Junkin moved to amend section 35, line 4, by striking out the word "and."

Carried.

Senator Trewin moved to amend section 36, fourth line, by striking out the words "through their duly authorized agents."

Carried.

Senator Funk moved that the time of adjournment be extended until the bill under consideration is disposed of and the Journals corrected.

Carried.

Senator Harper moved to amend section 36 by inserting "through their duly established local boards" after the word "business" in third line.

Lost.

Senator Blanchard offered the following amendment to section 35:

Add to section 35: "And, *provided* further, that domestic local associations, whose articles of incorporations are not in conflict with the provisions of this act, shall be exempt from the provisions of this section."

Lost.

Senator Eaton moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—46.

The nays were:

None:

Absent or not voting:

Senators Bonson, Hipwell, Hospers and Lehfeldt.

So the bill passed and its title was agreed to.

Senator Carpenter moved the time of adjournment be extended 15 minutes and that Senate file No. 9 be taken up.

Carried.

On motion of Senator Carpenter, Senate file No. 9, a bill for an act to amend section 2861 of the Code, relative to offenses against the life and person, with report of committee recommending a substitute, and that when adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Kilburn moved to amend the bill by striking out the word "fifteen" and inserting "sixteen" in lieu thereof.

On the question, "Shall the amendment pass?" the yeas were:

Senators Alexander, Allyn, Bell, Byers, Carney, Eaton, Ericson, Gorrell, Harriman, Henderson, Hotchkiss, Kilburn, Mitchell, Penrose, Perrin, Phelps, Rowen, Sargent, Young—19.

The nays were:

Senators Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Harper, Healy, Hipwell, Hobart, Hurst, Junkin, Lothrop, Palmer, Pusey, Ranck, Rigger, Trewin, Upton, Waterman—29.

Absent or not voting:

Senators Hospers and Lehfelddt—2.

So the amendment was lost.

Senator Carpenter moved that the rule be suspended and the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—46.

The nays were:

None.

Absent or not voting:

Senators Bonson, Hipwell, Hospers and Lehfelddt.

So the bill passed and its title was agreed to.

Senator Hospers offered the following and asked that it be printed in the Journal:

Being absent at the time the vote was taken on Senate file No. 9, the age of consent bill, I desire to state that had I been present my vote would have been yea.

HENRY HOSPERS.

Tuesday's and Wednesday's Journals were read, corrected and approved.

Senator Craig moved that No. 3 on Calendar made special order for to-day, be made special order for to-morrow at 10:30 A. M.

Carried.

Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, March 6, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Upton presented petition of V. J. Hall and others, favoring equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Hospers presented petition of Mrs. S. L. Whitney and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Pusey presented memorial of Savings, Loan and Building association, of Council Bluffs, relative to building and loan associations.

Referred to Committee on Building and Loan.

Senator Druet presented remonstrance of Jerry McGrath and others against passage of Senate file No. 252.

Referred to Committee on Railways.

Senator Rigger presented petition of S. H. Stephenson and others, relating to Senate file No. 1.

Referred to Committee on Judiciary.

Senator Cheshire presented petition of J. C. Beck and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Harper presented petition of M. L. Schofield and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Garst presented petition of J. A. Lyons and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Ellison presented remonstrance of W. H. Watson and others against passage of manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Hotchkiss presented petition of J. L. Butler and others in relation to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Bell presented petition of Eliza Crooen and others on the same subject.

Referred to Committee on Constitutional Amendments.

Senator Rowen presented petition of H. A. Miller and others on the same subject.

Referred to Committee on Constitutional Amendments.

Senator Rowen presented three petitions of H. Hadley, T. D. Hufford and Mrs. Dr. Lewis and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Trewin presented remonstrance of J. W. Hartley and others, against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Harriman presented petition of Paul Moore and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Rowen presented memorial of United Post No. 2, G. A. R., of Belmont, Iowa, in relation to memorial hall, and asked that it be read.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Funk presented memorial of Waller Post, G. A. R. on same subject.

Referred to Committee on Semi-Centennial and Memorial Hall.

Senator Funk presented petition of D. L. Parr and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Downey presented memorial of the bar of Keokuk, relative to certain offices and the superior court in the city of Keokuk, and asked that it be read.

Referred to Committee on Judiciary.

Senator Waterman presented petition of Ella Warner and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Ellis presented petition of J. F. Brown and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Hotchkiss presented remonstrance of J. W. Russell and others, relative to the pardon of Jasper Mason.

Referred to Committee on Penitentiary and Pardons.

Senator Berry presented petition of George Lachin and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Allyn presented petition of N. W. Rowell and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Carney presented twelve petitions of citizens of Marshall county on same subject.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Healy, Senate file No. 378, a bill for an act to amend section 2276 of the Code as amended by chapter 70 of the laws of the Twenty-second General Assembly, authorizing guardians of insane persons to mortgage the real estate of their wards.

Read first and second time and referred to Committee on Judiciary.

By Senator Ranck, Senate file No. 379, a bill for an act to amend section 111 of the Code of Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Junkin, Senate file No. 380, a bill for an act to amend section 2008, Code of 1873, relating to the election to retain, descent, and exemption of homesteads.

Read first and second time and referred to Committee on Code Revision.

By Senator Perrin, Senate file No. 381, a bill for an act to provide for the entry upon transfer, index and plat books in the county auditor's office of real estate conveyed by will or apportioned by legal proceedings.

Read first and second time and referred to Committee on Code Revision.

By Senator Hipwell, Senate file No. 382, a bill for an act to amend section 1634 of the Code of 1873, relating to the adoption of children at the Soldiers' Orphans' Home at Davenport.

Read first and second time and referred to Committee on Charitable Institutions

By Senator Alexander, Senate file No. 383, a bill for an act making repairs on and keeping in repair the State Capitol Building and other improvements.

Read first and second time and referred to Committee on Public Buildings.

By Senator Rowen, Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne.

Read first and second time and referred to Committee on Judiciary.

Senator Harper offered the following resolution and moved its adoption:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence in the matter of the death of the Hon. John G. Foote, of Burlington, Iowa, a former member of this body and one of the building commissioners in the construction of this splendid Capitol Building.

Adopted.

The President appointed the following Senators as such committee:

Senators Harper, Blanchard and Carpenter.

REPORT OF STANDING COMMITTEES.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 373, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts, and the official acts of canvassing boards with reference thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 375, a bill for an act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town from July 20, 1895, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate

with the recommendation that it be amended by adding at the close of section 1 the following words: "Nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding at close of section 1 the following words: "*Provided*, that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 327, a bill for an act to regulate the hours within which children under the age of 15 years may lawfully be upon the streets of cities, towns and villages, beg leave to report that they have had the same under consideration and have directed me to report it back to the Senate with the recommendation that it be indefinitely postponed, for the reasons that it would be impracticable to make the regulations contemplated by the bill state wide, the same being more properly matters for local police regulation, and that cities and towns now have the power to pass and enforce such ordinances as shall seem necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of such corporations and the inhabitants thereof.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Perrin, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate files Nos. 8, 303 and 524, bills for an act to provide for the manufacture and sale of spirituous, malt and vinous liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a substitute, with the recommendation that said substitute be adopted, and when adopted it do pass.

WM. B. PERRIN,
Chairman.

Ordered passed on file.

Senator Perrin asked that 500 copies of the bill as reported be printed.

Also:

MR. SPEAKER—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 149, a bill for an act to authorize the manufacture, sale and transportation of spirituous, malt and vinous liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WM. B. PERRIN,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report.

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 143, a bill for an act to provide for the payment of the claim of Scott county against the State of Iowa, for expenses incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out the figures \$1,003.79 in the third line of section 1, and insert in lieu thereof the words "Four hundred and twelve dollars and eighty-nine cents," and that when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 359, a bill for an act making appropriation for enlarging the cell capacity and yard of the penitentiary at Fort Madison, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Berry, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file No. 59, a bill for an act to amend, revise and codify the laws in relation to the State Library and the State Historical society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1, line 8, be amended by adding thereto the words

"and shall have the power to remove such officers by a two-thirds vote of said board for immorality, incompetency or inattention to their duties," and when so amended the bill do pass.

W. H. BERRY,
Chairman.

Ordered passed on file.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 222, a bill for an act to regulate the expenditure of the county road fund and county bridge fund, state that the former report filed herein was, by the consent of the Senate, withdrawn for further hearing, that the former action of the committee was reconsidered, and beg leave to report that they, on further consideration, have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 106, a bill for an act regulating the forfeiture of contracts for the sale of real estate.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 40, a bill for an act to enable boards of school directors to provide free text books for pupils in the public schools.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Joint Resolution No. 13, a joint resolution and memorial in relation to the 5 per cent. funds.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 57, a bill for an act to revise, amend and codify the statutes relative to the militia.

G. S. GILBERTSON,
Chairman Committee on part of Senate.

W. E. HAUGER,
Chairman Committee on part of House.

Senator Hobart asked permission to withdraw Senate file No. 158 from the Calendar for correction and that it retain its number on the Calendar.

Senator Perrin asked permission to recall Senate file No. 381.

Senator Craig moved that the special order relating to concurrent resolution be continued until Thursday, March 12, at 10:30 A. M., and retain its position on the Calendar.

Carried.

BILLS ON SECOND READING.

Senate file No. 95, a bill for an act to revise, amend and codify the statutes in relation to certain lost goods, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellison moved that the marginal figures and the underscoring as they appear in the bill be stricken out.

Carried.

Senator Ellison moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Carpenter, Druet, Harriman, Hotchkiss, Junkin, Lehfeldt, Pusey, Young—9.

So the bill passed the Senate.

Senator Trewin moved that the word “and” be stricken out and the words “and re-enact” be inserted.

Carried.

So the title was agreed to.

On motion of Senator Everall, Senate file No. 116, a bill for an act to amend sections 969 and 975 and others of the Code, relative to meeting of township trustees, with report of committee recommending that the same do pass, was taken up, considered, and the report of committee adopted.

Senator Everall moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?” the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hospers, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—44.

Senator Henderson voted in the negative.

Absent or not voting:

Senators Blanchard, Hobart, Hotchkiss, Lehfeldt, Young—5.

So the bill passed and the title was agreed to.

On motion of Senator Harper, Senate file No. 19, a bill for an act authorizing cities of the first class to lay sidewalks, with report of committee recommending a substitute, and that such substitute do pass, was taken up, considered, and the report of the committee adopted.

Senator Bonson moved to amend the bill by striking out the word “and” in the fourth line of section 1 and the word “or” inserted in lieu thereof.

Carried.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

Senator Upton moved that the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Hobart, Hotchkiss, Lehfeldt, Young—5.

So the bill passed and the title was agreed to.

On motion of Senator Ellison, Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873, relative to county officers, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellison moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—43.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Hobart, Hotchkiss, Lehfeldt, Lothrop, Mitchell, Young—7.

So the bill passed and its title was agreed to.

On motion of Senator Carroll, Senate file No. 157, a bill for an act to establish qualifications for county superintendents,

with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Carroll offered the following amendment to section 1, line 2.

Insert after "appointment" the words "hold a state certificate or state diploma, or shall."

Adopted.

Senator Carroll moved to amend the bill by striking out all of section 1 from the word "a" in the fourth line, to the word "county" in the seventh line.

Carried.

Senator Carroll offered the following amendment to section 1:

But nothing herein contained shall be construed to render ineligible to re-election any person holding the office of county superintendent at the time this act shall take effect.

Adopted.

Senator Waterman offered the following substitute for Senate file No. 157:

SECTION 1. No person shall be eligible to the office of county superintendent unless he holds a certificate from the state educational board of examiners, as provided by chapter 167 of the acts of the Nineteenth General Assembly.

SEC. 2 The county superintendent of each county shall hereafter be appointed by the state superintendent.

Lost.

Senator Bonson offered the following amendment:

I move to strike out in the second line of section 1, after the word "taught" the words "in the public schools of the state," and insert in lieu thereof the word "school."

Carried.

Senator Carroll offered the following amendment to section 4, line 6:

Strike out the words "in the public schools."

Adopted.

Senator Hospers moved the previous question.

Carried.

Senator Carroll moved that the rule be suspended, the bill be considered engrossed, and that the reading just had be the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carroll, Cheshire, Craig, Druet, Funk, Gorrell, Harper, Hotchkiss, Junkin, Lothrop, Perrin, Phelps, Trewin, Waterman—19.

The nays were:

Senators Allyn, Carney, Carpenter, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Garst, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Kilburn, Mitchell, Penrose, Pusey, Ranck, Rigger, Rowen, Upton, Young—26.

Absent or not voting:

Senators Bell, Gilbertson, Lehfeldt, Palmer, Sargent—5.

The bill having failed to receive the constitutional majority was declared lost.

Senator Kilburn moved that Joint Resolution No. 9, No. 7 on the Calendar, be made a special order for next Tuesday, March 10, at 10:30 A. M.

Senator Carpenter moved that the joint resolution be laid on the table.

On the question, "Shall the joint resolution be laid on the table?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Carpenter, Carroll, Everall, Funk, Garst, Gilbertson, Harper, Hipwell, Hobart, Hospers, Hurst, Junkin, Kilburn, Lothrop, Palmer, Pusey, Ranck, Trewin, Upton, Waterman—25.

The nays were:

Senators Bell, Byers, Carney, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Gorrell, Harriman, Healy, Henderson, Hotchkiss, Mitchell, Penrose, Perrin, Phelps, Rigger, Rowen, Young—23.

Absent or not voting:

Senators Lehfeldt and Sargent—2.

So the joint resolution was laid on the table.

Senator Kilburn now filed a motion to reconsider the vote by which Joint Resolution No. 9 was laid on the table.

Senator Carpenter moved that the motion be laid on the table.

Carried.

On request of Senator Trewin, leave of absence was granted Senator Pusey until Monday morning.

Senator Harriman asked that his report from the Committee on Highways be substituted for the report as it now appears in No. 22 on the Calendar.

The Journal of Thursday was taken up, read, corrected and approved.

At 11:45 o'clock a committee from the House appeared in the Senate Chamber and informed the Senate that the House was ready to receive them in Joint Session for the purpose of electing a trustee for the Insane Hospital at Mount Pleasant, to fill the vacancy occasioned by the death of Hon. Samuel Klein, of Lee county, whereupon the Senate adjourned to meet the House in Joint Session.

JOINT CONVENTION.

The Joint Convention was called to order by Lieutenant-Governor Parrott, who stated that the object of the Joint Convention was the election of a trustee for the Hospital for the Insane at Mount Pleasant, to fill the vacancy occasioned by the death of Hon. Samuel Klein.

The roll was called to ascertain if there was a quorum present.

Those present were:

Messrs. Alexander, Allen of Van Buren, Allyn of Ringgold, Bailey, Baker, Bell of Jefferson, Bell of Washington, Berry, Bird, Blanchard, Bonson, Bowen, Brady, Brighton, Brinton, Byers of Lucas, Byington, Carney, Carpenter, Carroll, Chapman, Cheshire, Clark, Classen, Cook, Craig, Crow, Davis, Doubleday, Dowell, Downey, Druet, Early, Eaton, Edwards, Ellis, Ellison, Evans, Everall, Finch, Frazee, Frink, Funk of Dickinson, Funk of Hardin, Garner, Garst, Gilbertson, Good, Gorrell, Griswold, Grote, Gurley, Harper, Haugen, Hauger, Hazen, Hendershot, Henderson, Hinkhouse, Hinman, Hipwell, Hobart, Hospers, Huntley, Hurst, Jackson, Jay, Johnson of Webster, Junkin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merrell, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mitchell, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Palmer, Parker, Penrose, Perrin, Perrott, Porter, Power, Prentis, Pusey, Putnam, Ranck, Ray, Reed, Rigger, Rowen, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Trewin, Upton, Voelker, Waterman, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Young
—130.

Those absent were:

Messrs. Byers of Shelby, Cornwall, Ericson, Harriman, Healy, Hotchkiss, Hunt, Kilburn, Lambert, Lavender, Lehfeldt, Lothrop, McArthur, Manahan, Phelps, Potter, Sargent, Van Houten, Weaver—20.

There being a quorum present, Mr. Bell placed in nomination the name of Hon. Winfield Smouse, of the First district, to fill said vacancy.

Lieutenant-Governor Parrott appointed as Teller on the part of the Senate, Senator Bonson of Dubuque.

Mr. Dowell appointed as Teller on the part of the House, Mr. Loomis of Jones.

Those voting for Hon. Winfield Smouse were:

Messrs. Alexander, Allen of Van Buren, Allyn of Ringgold, Bailey, Bell of Washington, Berry, Bird, Blanchard, Bonson, Bowen, Brady, Brighton, Brinton, Byers of Lucas, Carney, Carroll, Cheshire, Clark, Classen, Craig, Davis, Doubleday, Dowell, Downey, Druet, Eaton, Edwards, Ellis, Ellison, Everall, Finch, Frink, Garner, Garst, Good, Griswold, Grote, Gurley, Harper, Haugen, Healy, Hendershot, Henderson, Hinman, Hobart, Huntley, Jackson, Johnson of Webster, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mitchell, Morrison of Grundy, Morrison of Keokuk, Mullin, Palmer, Parker, Penrose, Perrin, Phelps, Prentis, Pusey, Putnam, Rigger, Scott, Smith, Spaulding, Thompson, Tibbitts, Trewin, Waterman, Watters, Weaver, Wells, Whelan, Whittier, Wood, Young—90.

Absent or not voting:

Messrs. Baker, Bell of Jefferson, Byers of Shelby, Byington, Carpenter, Chapman, Cook, Cornwall, Crow, Early, Ericson, Evans, Frazee, Funk of Dickinson, Funk of Hardin, Gilbertson, Gorrell, Harriman, Hauger, Hazen, Hinkhouse, Hipwell, Hospers, Hotchkiss, Hunt, Hurst, Jay, Johnston of Franklin, Junkin, Kilburn, Lambert, Lavender, Lehfeldt, Lothrop, McDonald, McDowell, Manahan, Marti, Merrell, Nietert, Nolan, Perrott, Porter, Potter, Power, Ranck, Ray, Reed, Rowen, Sargent, St. John, Sullivan, Temple, Upton, Van Houten, Voelker, Wheeler, Williams, Wilson—59.

The following certificate of election was then signed in the presence of the Joint Convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Iowa, Friday, March 6, 1896. }

This is to certify that at an election by the two Houses of the Twenty-sixth General Assembly of the State of Iowa, in Joint Convention, on Friday, the 6th day of March, A. D. 1896, for the purpose of electing the officers of the various state institutions, Winfield Smouse having received a majority of all the votes cast for said office, was declared duly elected trustee of Hospital for Insane at Mt. Pleasant for the unexpired term of Samuel Klien, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 6th day of March, A. D. 1896.

MATT PARROTT,
President of the Senate.

C. C. DOWELL,
Speaker of the House of Representatives pro tem.

Attest:

R. BONSON,
Teller of the Senate.

A. M. LOOMIS,
Teller of the House of Representatives.

The Journal of the Joint Convention was read and approved.
On motion of Senator Blanchard the Joint Convention was dissolved.

Senate reassembled.

Senator Henderson moved that the Senate do now adjourn.
Carried.

The Senate adjourned until 9 o'clock A. M. to morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, March 7, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Fred S. Linsell, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Ellis presented petition of J. G. Eberhart and others, relating to the age of consent.

Referred to Committee on Judiciary.

Senator Young presented petition of George Cormany and others in relation to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Young presented petition of Mrs. James Barclay and others on the same subject.

Referred to Committee on Constitutional Amendments.

Senator Perrin presented petition of Sarah E. Wincklebleck and others on same subject.

Referred to Committee on Constitutional Amendments.

Senator Trewin presented remonstrance of Thomas O. Regan and others against the passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Young presented memorial of W. A. Morse Post, G. A. R., relating to Memorial Hall, and asked its reading.

Referred to Committee on Memorial Hall.

Senator Carroll presented memorial of Samuel Sumner Post, G. A. R., on same subject.

Referred to Committee on Memorial Hall.

Senator Garst presented memorial of Perry Wright Post, G. A. R., in regard to Soldiers' Home.

Referred to Committee on Military.

Senator Penrose presented remonstrance of Mrs. C. J. Wonser and others against passage of manufacturing bill.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Ways and Means Committee, Senate file No. 385, a bill for an act imposing a collateral inheritance tax, and providing for collection of same.

Read first and second time and placed on the Calendar.

Senator Funk moved that 500 copies of Senate file No. 385 be printed.

Carried.

By Senator Alexander, Senate file No. 386, a bill for an act authorizing the appointment of a commission to co-operate with the Vicksburg National Park Commission in ascertaining and marking the positions occupied by the several regiments and batteries of Iowa troops engaged in the battles and siege of Vicksburg.

Read first and second time and referred to Committee on Military.

On request of Senator Penrose, leave of absence was granted Senator Craig until Thursday.

On request of Senator Hurst, leave of absence was granted Senator Hipwell until Monday.

On request of Senator Eaton, leave of absence was granted Senator Phelps until Monday.

REPORTS OF COMMITTEES.

Senator Carney, from the Committee on elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House file No. 83, a bill for an act to amend section 3, chapter 161, acts of the Twenty-first General Assembly, as amended by section 12, chapter 48, of the acts of the Twenty-second General Assembly of the State of Iowa, relating to the registration of voters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. L. CARNEY,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 225, a bill for an act to authorize the purchase and use of the Gillespie voting machine and matters relating thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. L. CARNEY.

Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 256, a bill for an act to provide for the payment of the balance of salary due N. B. Raymond, as reporter of the supreme court, for the year ending January 7, 1895, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out "fifteen" in the fifth line of section 1, and insert in lieu thereof "seven;" also, add to section 1 after the last line, "this to be in full of all claim for salary as reporter of the supreme court," and that when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 257, a bill for an act to aid in bringing the reports of the Iowa supreme court decisions up to date, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out of the ninth line of the preamble the words "covering a year's decisions." Strike out of the second line of section 1 the words "twenty-two" and insert in lieu thereof the word "eight," and add after the word "service" in the third line of section 1 the words "out of any money not otherwise appropriated." Strike out sections 2 and 3; and that when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary requests the return to the committee of Senate file No. 202 and House file No. 174 for the purpose of correction.

L. A. ELLIS,
Chairman.

Report of committee adopted.

Senator Funk, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred substitute for House file No. 188, a bill for an act to levy a tax to provide for the erection of necessary buildings of the State University of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended, by inserting after the

word "mill" in the third line the words "on the dollar," and after the words "annual valuation" in the fourth line, the words " of the taxable property," and that as so amended the bill do pass.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 93, a bill for an act to revise, amend and codify the statutes in relation to the judicial department, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Page 45, chapter 1, section 4, line 2, add after the word "authority" the words "In such cases opinions may be filed."

Page 47, chapter 2, section 3, lines 2 and 3, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond" and insert in lieu thereof the words "for whose acts he shall be responsible;" also, change the comma after the word "manner" in line 3 to a semi-colon.

Page 47, chapter 3, section 1, line 1, strike out the words "Section 1. The attorney-general shall attend in person at the seat of government during the" and insert in lieu thereof the words "Section 1. The office of the attorney-general shall be at the seat of government, and he shall attend at his office in person during the".

Page 48, strike out section 4 and insert the following sections:

SEC. 4. He shall be provided with an office in the Capitol Building and shall personally attend the same except when engaged in the state or federal courts.

SEC. 5. The salary of the attorney-general shall be four thousand dollars per annum, as full compensation, and whenever he is required by the duties of his office, or by direction of the Governor or general assembly, to attend any of the courts of this state or any of the federal courts, he shall receive the same mileage in going to and from such courts as is allowed members of the general assembly for attending the sessions thereof, to be computed by the nearest practicable route.

SEC. 6. He shall be supplied with a clerical assistant, whose annual salary shall not exceed one thousand dollars.

Page 48, chapter 4, section 1, line 1, strike out the words "office of the" after the word "the" and before the word "supreme;" strike out the word "kept" in the same line, after the word "be" and before the word "at," and insert in lieu thereof the words "shall be furnished an office;" also in line 3, same section, strike out the word "four" after the word "exceeding" and before the word "months," and insert in lieu thereof the word "two."

Page 48, section 3, line 6, insert after the word "the" and before the word "university," the word "state;" also in line 7, same section, after the word "the" and before the word "historical," the word "state."

Page 48, section 4, line 1, strike out the words "as soon as practicable;" also insert after the word "shall," same line, the word "forthwith."

Also strike out in lines 6 and 7 same section, the words, "as soon as there shall be issued."

Page 52, section 5, line 1, strike out the word "three" after the word "hold," and before the word "terms," and insert in lieu thereof the word "four."

Page 53, section 10, line 4, insert after the word "o'clock" and before the word "of" the words "P. M."

Page 54, section —, strike out all of section twenty-one, and insert in lieu thereof the following: "Section 21. Each judge of the district court shall appoint a reporter who shall be well skilled in the art of shorthand and who shall take down and report in full the oral evidence and proceedings, including the comments, statements and rulings of the court, and all exceptions thereto during the progress of the trial in all civil cases except appeals from justices of the peace and in all criminal cases triable on indictment; and if ordered by the court he shall take down and report the statements and arguments of counsel.

A like course may be taken upon order of the court in other criminal cases and in civil cases triable on appeal; but in such cases either party may have the same reported as a right by first securing or paying the reporter his reasonable fees. The notes of the shorthand reporter when certified by him and the judge before whom the case was tried to be full, true and correct, and filed in the office of the clerk, shall, with all exhibits therein identified and referred to, be a part of the record in the case.

Page 55, section 26, sub-section 3, line 9. Strike out the words "jurisdictional acts provided in the probate chapter of this Code," and insert in lieu thereof the words "acts within his jurisdiction as provided for in this Code."

Page 58, section 14, lines 4 and 5. Strike out the words "no juryman shall be detained longer than one week, except upon a trial commenced within the first week of his attendance."

Page 56. Strike out section 15, and insert in lieu thereof the following: Section 15. In order to provide jurors for the superior courts, the county auditor, clerk of the district court and recorder of the county in which any city having a superior court is located, shall meet at the court house on the third Monday of February, April, June, August, October and December of each year, and proceed to draw from the first box provided by section 11, chapter 11, of this title, and in the manner provided by this chapter, the names of fifteen persons to act as jurors in said superior court. The persons whose names are drawn at any drawing under the provisions hereof shall be subject to jury duty and constitute the regular panel of jurors in said superior court for the two calender months commencing with the first day of the month next succeeding the drawing. A list of the names of the persons drawn at each drawing provided by this act shall be immediately made out and certified by the clerk of the district court under his hand and seal, and such certified list transmitted by mail to the recorder or clerk of the city in which said superior court is located, and a precept of said superior court shall issue five days before the first day of each term of court for the jurors constituting the panel for such term, under the provis-

or private trust, or secure any bond above referred to, and which company shall have an unimpaired paid up capital of not less than \$150,000. The certificates of the state auditor to the effect that such company has complied with the requirements of this chapter and has such paid up capital shall be sufficient evidence to authorize the officer or body having the approval of the same, to accept and approve it; but nothing herein contained shall apply to bonds in criminal cases."

Your committee recommends that when the above amendments are adopted the bill do pass.

C. A. CARPENTER,
Chairman.

Five hundred copies ordered printed.

Senator Young, from the Committee on Congressional and Judicial districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 372, a bill for an act to increase the number of judges in the Fourth judicial district of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

D. H. YOUNG,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House file No. 146, a bill for an act to amend section 1, chapter 23, acts of the Twentieth General Assembly, in relation to the expenditure of insane soldiers' pension, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "soldiers' benefit" in the ninth line, and inserting in lieu thereof the words "benefit of the pensioner or his family," and when so amended it do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Ellison, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 96, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title of said bill be amended by striking out the words "in relation to certain police regulations" and inserting in lieu thereof the words "relating to inspection of passenger boats and the licensing of pilots and engineers thereon;" also by striking out in line twelve (12) of section two (2) the words "unless

sooner revoked for cause" and inserting in lieu thereof the words "which may be revoked for cause by such inspector," and that when so amended the same do pass.

F. O. ELLISON,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 106, a bill for an act regulating the forfeiture of contracts for sale of real estate.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 186, a bill for an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 40, a bill for an act to enable boards of school directors to provide free text books for pupils in the public schools.

G. S. GILBERTSON,
Chairman.

RESOLUTIONS ON THE DEATH OF HON. JOHN G. FOOTE.

Senator Harper, from the special committee appointed to draft resolutions on the death of Hon. John G. Foote, presented the following resolutions and moved their adoption:

WHEREAS, The all wise Providence has seen fit to remove by death the Hon. John G. Foote, an ex-member of this body, one of the building commissioners in the construction of this Capitol Building, and an eminent citizen of our state, who died at his home at Burlington, Iowa, March 4, 1896; therefore, be it

Resolved, That this body recognizing the eminent and valuable services for our loved state by the deceased, and realizing that he contributed no small part in assisting to place our state in the high rank that she now occupies; and

Resolved, That in the death of the Hon. John G. Foote, we are called upon to mourn the loss of an able and conscientious citizen, one devoted to all that stood for all that was good, pure and noble in the state that was so dear to him, an honored and revered neighbor and an exalted Christian

In Memoriam

.. of ..

Hon. John G. Foote,

Late Senator, 1st District,

and

Member Capitol Building Commission,

Who Died at Burlington, Iowa,

March 4th, 1896.



These Resolutions Adopted,

By his Colleagues,

March 7th, 1896.

husband and father. We remember with deep pleasure the splendid qualities of his great and generous heart and mind, the noble attributes of his manhood, and shall ever cherish the fondest and liveliest recollections of this lovable man.

Resolved, That this body extend to the sorrowing wife, family and friends of the deceased our sincerest sympathy and condolence.

Resolved, That these resolutions be printed in the Senate Journal and an engrossed copy of the same be mailed by the Secretary thereof to the widow of the deceased.

T. G. HARPER,
L. C. BLANCHARD,
C. A. CARPENTER.

Adopted by a rising vote.

Senator Berry moved that Senate file No. 1 (No. 25 on the Calendar), be made a special order for Tuesday, March 10, at 10:30 A. M.

Carried.

Senator Rowen moved that House file No. 87 (No. 8 on the Calendar), be stricken from the Calendar.

Carried.

BILLS ON SECOND READING.

On motion of Senator Cheshire Senate file No. 198, a bill for an act to repeal sections 1 and 4, chapter 82, acts of the Fourteenth General Assembly, relative to the dissection of dead bodies, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered and the report of the committee adopted.

Senator Harriman moved to amend the bill by striking out the word "professor" wherever it occurs in the bill, and insert the word "demonstrator" in lieu thereof.

Adopted.

Senator Lothrop moved to amend by inserting after the word "college" in line 7, the words "and to the public by notice of the death in daily newspapers, or by posting notices in three public places in the town where the death occurred."

Lost.

Senator Lothrop offered the following amendment:

Strike out the word "twenty-four" and insert in lieu thereof the word "thirty-six."

Lost.

Senator Carney offered the following amendment to section 1:

Insert after the word "person," in the sixth line, the words "who has died at said asylum, hospital, poor house or penitentiary."

Lost.

Senator Healy offered the following amendment:

I move to amend section 1 by adding after the word "delivers" in the fourteenth line, the words "or receives."

Adopted.

Senator Mitchell offered the following amendment:

I move to add the following as section 2:

"No physician, professor or person in charge of any medical school or college shall receive the body or remains of any deceased person except from a coroner, undertaker or the superintendent or managing officer of a public asylum, hospital, poor house or penitentiary, and such body or remains shall be accompanied by proof under oath from such person authorized to deliver the same, that such body or remains is a proper subject under the provisions of this act, for the purpose of medical and surgical study, and the making of any false oath as contemplated in this section shall be perjury. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding \$1,000, or by both such fine and imprisonment."

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Carney, Carroll, Eaton, Ellison, Ericson, Gilbertson, Hobart, Hotchkiss, Kilburn, Lothrop, Mitchell, Sargent, Young—18.

The nays were:

Senators Carpenter, Cheshire, Downey, Druet, Ellis, Funk, Garst, Harper, Harriman, Healy, Henderson, Junkin, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Upton—19.

Absent or not voting:

Senators Bonson, Byers, Craig, Everall, Gorrell, Hipwell, Hospers, Hurst, Lehfeldt, Phelps, Pusey, Trewin, Waterman—13.

So the amendment was lost.

Senator Upton offered the following amendment to section 1:

Insert the following words after the word "person" in the sixth line: "Who died without known relatives or friends, or without sufficient means to provide for his burial."

Senator Ellis offered the following as a substitute for the amendment:

Insert after the word "person" in the sixth line of section 1 of said bill the following words: "Whose surviving relatives or friends are unknown to such officers, or being known, consent thereto."

Adopted.

The amendment as amended prevailed.

Senator Harriman offered the following amendment:

Insert the following words after the word "delivered" in the twelfth line. "The medical college receiving the same shall keep said body ten days before dissection is made;" also insert the word "if" between "and the" in same line and strike out the word "subsequently" in the same line.

Adopted.

Senator Cheshire moved that the bill be engrossed for third reading.

Carried.

On motion of Senator Funk, Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes in Dickinson county to be public navigable waters, and to provide for their preservation and improvement for navigation for the benefit of the public health, and for the culture of fish therein, with report of committee recommending that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Craig, Gorrell, Hipwell, Kilburn, Lehfeldt, Phelps, Pusey—7.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 9, a bill for an act to amend section 3861 of the Code, relative to offenses against the life and person.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 267, a bill for an act to legalize the actions of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 237, a bill for an act providing for the better protection of logs and lumber lying in the waters of the state, or bordering thereon, and to punish the violation thereof.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 181, a bill for an act to amend chapter 7, acts of the Twentieth General Assembly, relative to appointment of city marshal.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 253, a bill for an act to legalize the organization of independent school districts of Larrabee, Cherokee county, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 347, a bill for an act to legalize the ordinances of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinances.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has asked the recall of House file No. 63.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 329, a bill for an act releasing and granting to the city of Dubuque title to certain lands.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 270, a bill for an act to amend section 801 of the Code of 1873, relating to the assessment of taxes.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 143, a bill for an act to prohibit telephone companies from charging extra fees for sending messages crossing county lines within the state.

JAMES D. ROWEN,
Chief Clerk.

Senator Waterman moved to take up House messages.

Carried.

Senator Trewin moved that Senate file No. 164 be referred to Committee on Appropriations, and that it retain its place on the Calendar.

Carried.

HOUSE MESSAGES.

The return of House file No. 63 was ordered.

House file No. 329, a bill for an act releasing and granting to the city of Dubuque title to certain lands, was read first and second time and referred to Committee on Judiciary.

Senate file No. 9, a bill for an act to amend section 2861 of the Code, relative to offenses against the life and person, was passed on file.

Senate file No. 181, a bill for an act to amend chapter 7 of the acts of the Twenty-fifth General Assembly, relating to the appointment of city marshals.

Senator Waterman moved that the Senate concur in the House amendment to the bill.

On the question, "Shall the Senate concur in the amendment to the bill?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Craig, Gorrell, Harper, Hipwell, Lehfeldt, Phelps, Pusey—7.

So the amendment was concurred in.

Senate file No. 277, a bill for an act providing for the better protection of logs and lumber lying in the waters of the state or bordering thereon, and to punish the violation thereof, was passed on file.

House file No. 143, a bill for an act to prohibit telephone companies from charging extra fees for sending messages crossing county lines within the state, was read first and second time and referred to Committee on Judiciary.

House file No. 270, a bill for an act to amend section 801 of the Code of 1873, relating to the assessment of taxes, was read first and second time and referred to Committee on Ways and Means.

Senate file No. 253, a bill for an act to legalize the organization of independent school districts of Larrabee, Cherokee county, Iowa, was taken up.

Senator Hobart moved that the Senate concur in the House amendment.

On the question, "Shall the Senate concur?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Craig, Funk, Garst, Gorrell, Hipwell, Lehfeldt, Lothrop, Phelps, Pusey, Ranck—10.

So the amendment was concurred in.

Senate file No. 347, a bill for an act to legalize the ordinance of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates, as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinance.

Senator Cheshire moved that the House amendment to Senate file No. 347 be concurred in.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Craig, Garst, Gorrell, Hipwell, Kilburn, Lehfeldt, Phelps, Pusey, Ranck—9.

So the amendment was concurred in.

Senate file No. 287, a bill for an act to legalize the actions of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895, was ordered passed on file.

Senator Hotchkiss offered the following motion:

I move that hereafter the Senate Calendar be printed only on Mondays, Wednesdays and Fridays of each week.

A. C. HOTCHKISS,

Chairman Committee on Printing.

Carried.

Senator Funk moved that Senate file No. 145 be returned to Committee on Ways and Means for further consideration, and that it retain its place on the Calendar.

Carried.

Senator Cheshire moved that Senate file No. 389 (No. 105 on the Calendar) be re-referred to Committee on Cities and Towns for further consideration, and that it retain its place on the Calendar.

Carried.

Senator Palmer asked that Senate file No. 351 be recalled from Committee on Charitable Institutions and referred to Committee on Ways and Means.

The Journal of Friday was taken up, read, corrected and approved.

Senate adjourned until Monday at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, March 9, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Craig S. Thoms, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Garst presented petition of F. H. Long and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Riggen presented petition of W. D. Woodin and others, relating to additional normal schools.

Withdrawn to introduce in the House.

Senator Bonson presented petition of H. L. Dehnor and others for the control and regulation of express companies.

Referred to Committee on Railways.

Senator Bell presented petition of E. G. Copeland and others for additional normal schools.

Referred to Committee on Schools.

Senator Ellison presented petition of H. M. Remley and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Ellison presented petition of Jas. Jennings and others for control of express companies.

Referred to Committee on Railways.

Senator Kilburn presented remonstrance of W. J. Cook and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Kilburn presented a large number of petitions of over 9,000 citizens of the state for equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Sargent presented petition of J. Scott Stevens and others, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Trewin presented two remonstrances of M. Walsh and D. Biggs and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Carpenter presented petition of H. H. Hildebrand and others, relating to Senate file No. 239.

Referred to Committee on Public Health.

Senator Carpenter presented remonstrance of John J. Stopp, against passage of Senate file No. 252.

Referred to Committee on Banks.

Senator Carpenter presented petition of W. H. Hughes and others, relating to normal schools.

Referred to Committee on Schools.

Senator Carpenter presented petition of Rev. T. S. Pool and others on same subject.

Referred to Committee on Schools.

Senator Carpenter presented petition of W. M. Narvis and others, relating to fraternal beneficiary associations.

Referred to Committee on Judiciary.

President Parrott presented memorial of C. Moran, relative to protection of monument dealers, and asked to have it read.

Referred to Committee on Judiciary.

Senator Trewin, for Senator Craig, presented memorial of Teachers' association of Butler county, in favor of additional normal schools.

Referred to Committee on Schools.

Senator Rowen presented petition of E. E. Rorem and others, relating to equal suffrage.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Palmer, Senate file No. 387, a bill for an act to amend section 2, chapter 17 of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds.

Read first and second time and referred to Committee on Cities and Towns.

By Code Revision Committee, Senate file No. 388, a bill for an act to revise, amend and codify the statute, in relation to justices of the peace and their courts.

Read first and second time and referred to Committee on Code Revision.

By Code Revision Committee, Senate file No. 389, a bill for an act to revise, amend and codify the statutes, in relation to crimes and punishments.

Read first and second time and referred to Committee on Code Revision.

By Code Revision Committee, Senate file No. 390, a bill for an act to revise, amend and codify the statutes in relation to evidence.

Read first and second time and referred to Committee on Code Revision.

By Senator Junkin, Senate file No. 391, a bill for an act to amend section 2441 of the Code of 1873, relating to the distributive share of the widow in real estate.

Read first and second time and referred to Committee on Code Revision.

By Senator Bonson, Senate file No. 392, a bill for an act authorizing cities acting under special charters to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property.

Read first and second time and referred to Committee on Cities and Towns.

Senator Kilburn moved that Joint Resolution No. 9 be taken from the table and placed on the Calendar.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 198, a bill for an act to repeal sections 1 and 4 of chapter 82 of the acts of the Fourteenth General Assembly, as amended by chapter 195 of the acts of the Twentieth General Assembly, in relation to the dissection of dead bodies, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that we find the same properly engrossed.

H. L. BYERS,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 166, a bill for an act to authorize the historical department of Iowa to purchase a certain unpublished manuscript, known as "A History of the Iowa Troops in the War of the Rebellion," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 134, a bill for an act to appropriate money to procure for the Adjutant General's rooms in the Capitol a portrait of the late Adjutant General Nathaniel B. Baker, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 249, a bill for an act to regulate the use of wharves upon the shores and banks of navigable lakes and streams, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding after the word "stream" at the end of the third line of the original bill the words "wholly within the borders," and after the word "state" in fourth line thereof the words "below high water mark," and when so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 329, a bill for an act leasing and granting to the city of Dubuque title to certain lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, and that it be substituted for Senate file No. 284 on the same subject, and they further recommend that Senate file No. 284 be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 174 and Senate file No. 202, bills for acts to amend section 1395 in relation to commissioners of insanity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that House file No. 174 be amended by adding the word "section" and the numeral "1" after

the enacting clause; also in place of words "in which the district court is held at two different places" there shall be inserted in lieu thereof the words "having two places where district court is held," and after the word "insanity" on the margin of the original bill the following words be stricken out: "at each of said places" and the following inserted in lieu thereof: "one at each place," and that the words "located at such second county seat" be stricken out, and when so amended the bill do pass as a substitute for Senate file No. 202, and that said Senate file No. 202 be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 369, a bill for an act fixing the place in which actions on certain contracts relating to insurance shall be brought, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Judiciary.

WARREN GARST,
Chairman.

So referred.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Joint Resolution No. 11, to authorize the commissioners of the Iowa Soldiers' Home to admit Caroline Crocker Robinson to the Home as a member, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the acts of the Twenty-fifth General Assembly, in relation to public libraries.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 278, a bill for an act to legalize the issuing of certain warrants on the general fund, and certain funding and refunding bonds by the city of Ottumwa, Iowa.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 111, a bill for an act to authorize the state or any county or other municipal corporation to receive, hold and manage gifts, devises and bequests made thereto absolutely or in trust for specific purposes.

G. S. GILBERTSON,
Chairman.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 62, a bill for an act to revise, amend and codify the statutes in relation to the executive department, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

Page 21, section 20, line 2, strike out the word "three" after the word "states" and before the word "dollars" and insert in lieu thereof the word "ten"; also, same line, strike out the words "one dollar and fifty cents" after the word "public" and before the word "for" and insert in lieu thereof the words "five dollars."

Page 21, section 22, lines 1 and 2, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond," and insert in lieu thereof the words "for whose acts he shall be responsible."

Page 24, section 11, line 2, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond," and insert in lieu thereof the words "for whose acts he shall be responsible,"

Page 24, section 12, add after the word "insurance" the words "banking and building and loan associations."

Page 26, section 16, line 2, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond" and insert in lieu thereof the words "for whose acts he shall be responsible."

Page 33, section 24, line 1, strike out the word "Iowa" before the word "official."

Page 34, section 26, line 25, strike out the word "Iowa" before the word "official."

Page 35, section 1, line 6, strike out the word "thereto" after the word "sureties" and before the word "to."

Page 36, section 5, line 8, insert after the word "capitol" and before the word "at" the words "including all offices and rooms."

Page 36, section 7, line 2, insert after the word "same" and before the word "but" the words "excepting janitor service."

Page 36, section 8, line 2, insert after the word "chapter" and before the word "itemizing" the words "including janitor service and expenses for care of offices and rooms."

Page 37, add as section 11, chapter 6, the following:

SEC. 11. No person shall be employed as janitor in and about the Capitol except by the custodian with the consent of the governor, except as herein otherwise specially provided.

Page 39, section 3, line 10, strike out the word "cover" after the word "Governor" and before the word "the" and insert in lieu thereof the words "make a detailed statement of."

Page 40, section 10, line 4, add after the word "imprisonment" the words "and shall be liable on his bond for any loss to the state with fifty per cent damages."

Your committee recommend that when the amendments above are adopted the bill do pass.

C. A. CARPENTER,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred the report of the Code Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, with the recommendation that it be referred to the Code Revision Committee.

C. A. CARPENTER,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred the report of the Code Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts, with the recommendation that it be referred to the Committee on Code Revision.

C. A. CARPENTER,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred the report of the Code Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate a bill for an act to revise, amend and codify the statutes in relation to evidence, with the recommendation that it be referred to the Committee on Code Revision.

C. A. CARPENTER,
Chairman.

So referred.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 3, a bill for act to revise, amend, and codify the statutes in relation to the executive department.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

On motion of Senator Palmer, Joint Resolution No. 11, to authorize commissioners of the Iowa Soldiers' Home to admit Caroline Crocker Robinson to the Home as a member, with the report of the committee recommending the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Palmer moved that the rule be suspended, and the Joint Resolution be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the joint resolution pass?" the yeas were:

Senators Alexander, Bell, Blanchard, Bonson, Byers, Carpenter, Cheshire, Downey, Druet, Eaton, Ellison, Ericson, Everall, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—38.

The nays were:

None.

Absent or not voting:

Senators Allyn, Berry, Carney, Carroll, Craig, Ellis, Funk, Gilbertson, Healy, Hipwell, Pusey, Ranck—12.

So the joint resolution was adopted.

On motion of Senator Ellison, Senate file No. 204, a bill for an act to authorize towns and cities of the second class to issue and negotiate bonds, with report of committee recommending a substitute, and that when such substitute is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellison offered the following amendment:

I move to amend the substitute by inserting after the word "class" in the fourth line the words, and by striking out after the word "dollars" in the third line the words "at the time of the passage of this act."

Adopted.

Senator Ellison moved to amend by inserting after the word "and" the words "in lieu thereof."

Adopted.

Senator Ellison moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were:

None.

Absent or not voting:

Senators Byers, Carney, Craig, Funk, Gilbertson, Healy, Hipwell, Ranck—8.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

On motion of Senator Cheshire, Senate file No. 198, a bill for an act to repeal sections 1 and 4, chapter 82, acts of the Fourteenth General Assembly, relative to the dissection of dead bodies, was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Druet, Ellis, Garst, Gorrell, Harper, Harriman, Henderson, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Sargent, Upton, Waterman, Young—33.

The nays were:

Senators Eaton, Ellison, Hobart and Kilburn—4.

Absent or not voting:

Senators Carney, Craig, Downey, Ericson, Everall, Funk, Gilbertson, Healy, Hipwell, Lehfelddt, Ranck, Rowen, Trewin—13.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

On motion of Senator Carroll, Senate file No. 104, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, with report of committee recommending certain amendments, and when so amended the bill do pass, was taken up and considered.

Senator Carroll offered the following amendments:

Strike out the word "day" in first line and insert "Monday."

Strike out the word "May" and insert the word "April" in the report of the committee.

Strike out "April" and insert "March,"

Strike out "to be fixed by the Governor" and insert "to be approved by the Governor," and strike out the words "one or more."

The report of the committee as amended was adopted.

Senator Carroll moved to strike out the word "five" in second line of section 10 and insert the word "ten."

Adopted.

Senator Cheshire moved to amend section 7 by striking out the word "five" in the second line and inserting in lieu thereof the words "one or more" and by striking out the words "one or more" at the end of the same line.

On this a division was called for and the amendment lost.

The President called Senator Trewin to preside.

Senator Waterman offered the following amendment:

I move to amend section 9 by inserting after the word "escape shafts" in seventh line the words "not provided with hoisting appliances as hereinafter required."

Adopted.

Senator Waterman moved to amend section 9 by striking out of the ninth line the words "with working fans," and insert in lieu thereof "where fans are used." Also strike out the word "those" in tenth line of same section and insert in lieu thereof the words "and which are."

Adopted.

Senator Waterman offered the following amendment to section 11:

Insert after the word "or" the words "the men working," in the ninth line.

Adopted.

President Parrott in the Chair.

Senator Blanchard offered the following amendment to section 13 in line 28:

Strike out after the word "demand" the words "first and third Saturday in each month" and insert the word "semi-monthly."

Adopted.

Senator Bonson offered the following amendment:

I move the adoption of the following: "Section 16. The provisions of this chapter shall apply only to coal mines."

Adopted

Senator Carroll moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Rikken, Rowen, Sargent, Trewin, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Carney, Craig, Eaton, Gilbertson, Healy, Hipwell, Pusey, Ranck, Upton—10.

So the bill passed and the title was agreed to.

Senator Henderson offered the following motion:

I move that when we adjourn that it be to 8 o'clock to-night for the consideration of legalizing acts and bills reported for indefinite postponement and other matters of minor importance.

Carried.

On motion of Senator Cheshire, Senate file No. 114, a bill for an act to amend section 2, chapter 99, acts of the Twenty-fifth General Assembly, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee adopted.

Senator Cheshire moved that House file No. 232, a bill for an act to amend section 2, chapter 99, of the acts of the Twenty-fifth General Assembly, relating to powers of cities of first class, be substituted for Senate file No. 114.

Carried.

Senator Lothrop offered the following amendment:

Strike out all after the word "annually" in line three to the end of the section.

Lost.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Garst, Gorrell, Harper, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer,

Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Carney, Craig, Funk, Gilbertson, Harriman, Healy, Henderson, Hipwell, Ranck, Waterman—12.

So the bill passed.

Senator Cheshire moved to amend the title by striking out the words "library trustees" and inserting "cities of the first class" in lieu thereof.

Carried.

So the title as amended was agreed to.

On motion of Senator Hotchkiss, Senate file No. 330, a bill for an act authorizing counties, cities, townships and other municipal corporations to take and hold property by gift and bequest, and providing for the management of the same, with report of committee recommending that it be indefinitely postponed, for the reason that the matter is incorporated in Senate file No. 111, was taken up and considered.

Senator Hotchkiss moved that the report of the committee be not concurred in

Carried.

Senator Harper offered the following amendment:

Strike out in sixth line the words "during good behavior" and insert the words "until removed by the court."

Carried.

Senator Hotchkiss moved that the time of adjournment be extended 10 minutes.

Carried.

Senator Hotchkiss moved that the rule be suspended and the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were:

None.

Absent or not voting:

Senators Alexander, Carney, Craig, Ellison, Gilbertson, Healy, Hipwell, Ranck—8.

So the bill passed and the title was agreed to.

The Journal of Saturday was taken up, read, corrected and approved.

On motion of Sentor Kilburn the Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 8 o'clock P. M., President Parrott presiding.

Reading of resolution by which the Senate adjourned.

On motion of Senator Lothrop Senate file No. 180, a bill for an act extending the terms of certain county officers, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senator Carney introduced a resolution that the report of committees on the following bills for indefinite postponement be adopted:

Calendar No. 24, Senate file No. 173; Calendar No. 32, Senate file No. 288; Calendar No. 34, Senate file No. 212; Calendar No. 47, Senate file No. 168; Calendar No. 72, Senate file No. 107; Calendar No. 77, Senate file No. 268; Calendar No. 78, Senate file No. 233; Calendar No. 85, Senate file No. 279; Calendar No. 93, Senate file No. 316; Calendar No. 102, Senate file No. 188; Calendar No. 107, Senate file No. 109; Calendar No. 124, Senate file No. 288; Calendar No. 132, Senate file No. 98; Calendar No. 134, Senate file No. 283; Calendar No. 140, Senate file No. 327; Calendar No. 141, Senate file Nos. 8, 203, 324; Calendar No. 149, Senate file No. 225.

Senator Druet asked that Calendar No. 47, Senate file No. 168 be not included in the list.

Consent given.

Senator Pusey asked that Calendar No. 141, Senate files Nos. 8, 203 and 324 be not included in the list.

Consent given.

Resolution was then adopted.

Senator Harriman, moved that Calendar No. 146, Senate file No. 222, be stricken from the Calendar.

Carried.

Senator Waterman moved that Calendar No. 21, a concurrent resolution be stricken from the Calendar.

Carried.

House concurrent resolution, relative to the proposed changing of the interstate commerce law of the United States, with respect to railroads pooling their earnings, with report of committee recommending that Senate do not concur with the House thereon, was taken up and considered.

On the question, "Shall the report of the committee be concurred in?" the yeas were:

Senators Berry, Blanchard, Byers, Carpenter, Cheshire, Druet, Eaton, Ellis, Funk, Garst, Harper, Harriman, Henderson, Hipwell, Hurst, Junkin, Lehfeldt, Lothrop, Palmer, Penrose, Pusey, Rigger, Rowen, Upton, Waterman—25.

The nays were:

Senators Alexander, Bell, Bonson, Carney, Carroll, Downey, Ericson, Everall, Gorrell, Healy, Hobart, Kilburn, Mitchell, Perrin, Phelps, Ranck, Sargent, Young—18.

Absent or not voting:

Senators Allyn, Craig, Ellison, Gilbertson, Hospers, Hotchkiss, Trewin—7.

So the report of the committee was adopted.

On motion of Senator Lothrop House file No. 292, a bill for an act to legalize certain ordinances of the town of Salix, Woodbury county, Iowa, with report of committee recommending the same be concurred in, was taken up, considered, and the report of the committee adopted.

Senator Lothrop moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hospers, Hotchkiss—5.

So the bill passed and the title was agreed to.

On motion of Senator Perrin, House file No. 224, a bill for an act to legalize the incorporation of the town of Mitchell, Iowa, with report of committee recommending it be concurred in, was taken up, considered, and the report of the committee adopted.

Senator Perrin moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hospers, Hotchkiss—5.

So the bill passed and the title was agreed to.

On motion of Senator Everall, House file No. 80, a bill for an act to legalize the acts of J. H. Ellsworth, of Clayton county, Iowa, as notary public, with report of committee recommending that same be concurred in, was taken up, considered, and the report of the committee adopted.

Senator Everall moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hospers, Hotchkiss—5.

So the bill passed and title was agreed to.

On motion of Senator Ericson, House file No. 327, a bill for an act to legalize the acts of the town council of Roland, Story county, Iowa, with report of committee recommending that the same be concurred in, was taken up, considered, and the report of the committee adopted.

Senator Ericson moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hipwell, Hospers, Hotchkiss—6.

So the bill passed and its title agreed to.

On motion of Senator Druet, House file No. 333, a bill for an act to legalize the incorporation of the town of Pleasantville, Marion county, Iowa, the election of the officers, and all official acts done and ordinances passed by the council of said town, not in contravention with the laws of the State of Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Druet moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hospers, Hotchkiss—5.

So the bill passed and the title was agreed to.

On motion of Senator Garst, Senate file No. 371, a bill for an act to legalize certain taxes levied by counties, pursuant to chapter 200, acts of the Twentieth General Assembly, as amended by chapter 22, acts of the Twenty-fifth General Assembly, with report of committee recommending that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Garst moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hipwell, Hospers, Hotchkiss—6.

So the bill passed and the title was agreed to.

On motion of Senator Penrose, Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, etc., with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Penrose moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hipwell, Hospers, Hotchkiss, Rigger, Young—8.

So the bill passed and its title was agreed to.

On motion of Senator Bonson, Senate file No. 375, a bill for an act to legalize the incorporation of New Vienna, Dubuque county, Iowa, the election of its officers, etc., with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Bonson moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hurst, Junkin, Kilburn, Lohfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hospers, Hotchkiss, Hipwell, Pusey, Young—8.

So the bill passed and the title was agreed to.

On motion of Senator Bonson, Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers, etc., with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Bonson moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman,

Healy, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Sargent, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Ellison, Gilbertson, Hospers, Hotchkiss, Pusey, Rowen, Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Ranck, Senate file No. 373, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts, etc., with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Ranck moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Sargent, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hipwell, Hospers, Hotchkiss, Pusey, Rowen, Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Phelps, Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county funds and county bridge fund, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered and the report of the committee adopted.

Senator Phelps offered the following amendment:

I move to amend section 1 by striking out the word "the" before the word "board" in the fourth line of the printed bill; also the words "of such county may" in the same line, and inserting in the same line before the word "board" the words "may by act of its."

Adopted.

Senator Carney moved that the vote by which the amendments were adopted be reconsidered.

Carried.

Amendments withdrawn.

Senator Phelps moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Ellis, Ericson, Funk, Garst, Harper, Harriman, Healy, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Sargent, Waterman—29.

Absent or not voting:

Senators Craig, Druet, Eaton, Ellison, Everall, Gilbertson, Gorrell, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Pusey, Rigger, Rowen, Trewin, Upton, Young—20.

So the bill passed and its title was agreed to.

Senator Waterman moved that the Senate do now adjourn

Carried.

Senate adjourned until tomorrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, March 10, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. M. D. Reed, of Glenwood, Iowa.

On request of Senator Trewin, leave of absence was granted Senator Ellison until Monday.

PETITIONS AND MEMORIALS.

Senator Byers presented petition of Ed West and others relating to normal schools.

Referred to Committee on Educational Institutions.

Senator Druet presented petitions of W. A. Hollowell and F. M. Kerr and others, relating to assessment of taxes.

Referred to Committee on Ways and Means.

Senator Palmer presented petition of T. J. Allen and others, relating to normal schools.

Referred to Committee on Educational Institutions.

Senator Ranck presented petition of Winnie Stewart and others in favor of Senate file No. 160.

Referred to Committee on Schools.

Senator Hipwell presented petition of W. W. Humphrey, relating to fraternal beneficiary societies.

Referred to Committee on Judiciary.

Senator Mitchell presented petition of L. M. Stanley, relating to control of express companies.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Carney, Senate file No. 393, a bill for an act to repeal chapter 70, acts of the Twenty-fifth General Assembly, and to provide for the selecting and drawing of jurors.

Read first and second time and referred to Committee on Judiciary.

HOUSE MESSAGES.

House file No. 3, a bill for an act to revise, amend and codify the statutes in relation to the executive department, was read first and second time and referred to Committee on Code Revision.

REPORTS OF STANDING COMMITTEES.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 344, a bill for an act granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of Geo. L. Trout, a life prisoner confined in the penitentiary at Anamosa, beg leave to report that they have had the same under consideration and have instructed me to report adversely on said petition.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 167, a bill for an act to amend chapter 47 of the acts of the Eighteenth General Assembly, in relation to barbed wire fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted in its place, and that the substitute do pass:

A BILL

For an act to repeal section 1507 of the Code of 1873, as amended by chapter 47 of the acts of the Eighteenth General Assembly, relating to barbed wire fences, and to enact a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. A fence made of three rails of good substantial material, or three boards not less than six inches wide and three-quarters of an

inch thick, such rails or boards to be fastened in or to good substantial posts, not more than ten feet apart where rails are used, and not more than eight feet apart where boards are used, wire either wholly or in part, substantially built and kept in good repair, or any other kind of fence which, in the opinion of the fence viewers, shall be equivalent thereto, shall be declared a lawful fence; *provided*, that the lowest or bottom rail, wire, or board shall not be more than twenty nor less than sixteen inches from the ground, and that such fence shall be fifty-four inches in height, except that a barbed wire fence shall consist of four barbed wires; such fence in either case to have not less than thirty-six iron barbs of two points each, (or) twenty-six iron barbs of four points each on each wire to the rod, the wires to be firmly fastened to posts not more than two rods apart, with two stays between the posts, or with posts not more than one rod apart without such stays, the top wire to be not more than fifty-four nor less than forty-eight inches in height, and the bottom wire not more than twenty nor less than sixteen inches from the ground; *provided*, further, that all partition fences may be made tight at the expense of the party desiring it, and such party may take from such fence the same material by him added thereto whenever he may elect; and *provided*, further, that when the owner or occupants of adjoining land use the same for the purpose of pasturing swine or sheep, each of said owners or occupants shall keep their respective share of the partition fence sufficiently tight to restrain such swine or sheep.

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 318, a bill for an act to amend section 1, chapter 64, of the acts of the Twenty-fifth General Assembly relating to trespassing on the lands of another, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 191, a bill for an act to authorize the executive council to sell and convey a part of the lands purchased for the use of the Iowa State Agricultural society in Polk county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass after it has been amended as follows: In line 1, substitute the word "is" for the word "are"; in the same line substitute "empowered" for "impowered"; in line 9 strike out all after the word "society" down to the word "any" in line 10 and substitute therefor the words "Such lands shall be purchased for the use of said Agricultural society for the same purpose as those purchased under chapter 199 of the acts of the Twentieth General

Assembly"; in line 6, strike out the word "and" and substitute therefor "section 2"; in line 11, change the words "last mentioned piece" to "purchased lands"; add the following as section 3:

"Sec. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa."

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 75, a bill for an act to prevent the spread of contagious and infectious disease among swine, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the subject matter is embodied in another bill.

D. J. PALMER,
Chairman.

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was re-referred Senate file No. 282, a bill for an act providing for farmers' institutes, the manner of maintaining and conducting the same, and to repeal chapter 58 of the acts of the Twenty-fourth General Assembly, which was considered by the committee and reported February 22 with recommendation that after certain amendments the bill do pass, and on February 25, by request of committee, was re-referred, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 46, a bill for an act to amend, revise and codify the laws in relation to elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the bill be amended as follows, and that when so amended the bill do pass:

AMENDMENTS TO SENATE FILE NO. 46—TITLE 6 OF ELECTIONS AND OFFICES.

A bill for an act to revise, amend and codify the statutes in relation to elections and offices.

AMENDMENTS BY COMMITTEE ON ELECTIONS.

Strike out the marginal figures, the figures in brackets at the end of the sections and the underscoring.

In chapter 1, section 17, strike out all after the word "and" in line 2, up to and including the last word "constables" in line 6.

Chapter 2, section 1, line 1, strike out "two thousand" and insert "thirty-five hundred."

Same section, line 10, strike out the words "as full;" insert after the word "compensation" the word "at;" strike out the word "sum" and insert the word "rate."

Section 2, line 6, insert the word "registry" before the word "book."

Strike out section 3 and insert the following:

SEC. 3. The statements thus made shall be dated and consecutively numbered commencing with number one at each registration; at the close of each day's registration the registry book shall be ruled off so as to prevent further entries, and whenever the registers are not in session, or engaged in preparing the alphabetical list, the book shall be kept in the custody of the clerk until disposed of as provided by law. No person shall register at any other place or time than is designated in this chapter and no registration of voters for school elections shall be required.

Section 4, line 1, strike out the words "completed registration" and insert the words "the registration made in the second week preceding the election." Same line strike out the word "an" and insert the word "two." Line 2, substitute "lists" for "list." Line 6, strike out the words "which list" and substitute "one of which lists." At the end of the section add the words "and retain the other one in their possession."

Section 5, line 1, strike out the words "of the week." Line 4, strike out the word "list" and insert "registry book." Line 6, strike out the words "the list" and insert "the registers shall revise and correct the alphabetical list in their possession to correspond therewith." After the word "corrected" insert the word "it." Line 12, strike out the word "registry" and insert alphabetical list." Section 6, lines 8 and 9, strike out the word "registration" and insert the words "registry book and alphabetical."

Strike out section 7 and insert the following:

SEC. 7. The registers shall also be in session on the day for the holding of each election, at some place convenient to, but not within one hundred feet of the voting place, and during all the hours in which by law the polls are required to be kept open, for the purpose only of granting certificates of registration to persons who, being electors, are not registered. Such registration shall be allowed and certificate thereof granted only to a person who was absent from the city during all the days fixed for the registration of voters for that election, or to a person who, being a foreigner, has received his final papers since the last preceding day for the registration of voters for that election, or to a person whose name was on the preceding Saturday, and in the absence of such person, stricken from registration and who, on said day of election, shall prove to the satisfaction of said registers that he is a lawfully qualified elector of said voting precinct. These certificates of registration shall contain all the data showing the qualification of the voter as shown by the registration, and in addition, the special matter showing the voter's right to such certificate under this section, and before delivery to the applicant shall be indorsed by the registers to the effect that the person therein named is a qualified voter in that precinct, and that he is entitled to be registered as such. The proper statement shall be signed and sworn to by the voter

before one of the registers, supported by the affidavit of a freeholder, who is a registered voter in that precinct, who shall make oath to the qualification of the applicant as a voter in that precinct. And if the applicant be one whose name was stricken from registration, said affidavit of such freeholder shall contain the facts showing the right of said applicant to vote in that precinct. Registration in such cases shall be made in the manner required for regular registration. The certificates of registration shall be handed in to the judges of election when a ballot is delivered to him. The data therefrom showing the voter's name and his qualification as a voter shall be entered on the alphabetical lists by the judges and clerks of the election, under the appropriate headings, and the original certificate shall be returned to the city clerk, who shall carefully preserve it, in the same manner and for the same time as the alphabetical list and poll book.

Strike out section 9 and insert the following:

SEC. 9. A new registry of voters shall be taken in each year of a presidential election. For all other state or municipal elections, general or special, the registers shall prepare a new registry book in each year by copying from the poll book of the preceding general election all the names found therein, adding thereto those of all persons registered and voting at any subsequent election, which new registry book shall show all the facts of qualification of each voter as they appear on the last preceding registry book, which when thus made up shall be used at each election until a new registry book is prepared as required by law. Every person thus registered shall be considered as entitled to vote at any election at which said registry book may be used, unless his name shall be dropped by the correction of registration as authorized by law.

Strike out section 11 and insert the following:

SEC. 11. The city clerk shall carefully preserve all registry books and alphabetical lists and other papers pertaining to the registration until destroyed as provided in the chapter on the canvass of votes. He shall on the application of the registers deliver to them, prior to their first meeting for each election, the registry book, alphabetical list and poll book which they require in order to properly prepare the necessary registry book for the next ensuing election, all of which shall be returned to him by them when they have completed their work for such election.

Chapter 3, section 3, line 5, strike out the words "the city" and insert "any city having a population of 2,000 or more, not including the inmates of any state institution."

Section 9, line 2, after the word "filled" insert "which shall be done at once by the electors present at the time of opening the polls." At the end of the section add "but may be held open until 8 o'clock in the evening, provided a proclamation to that effect was made at the time of the opening of the polls."

Section 19 insert small squares before the names of all candidates.

Section 20, line 10, after the word "precinct" insert "not less than twelve hours."

Section 24, line 17, after the word "instructions" insert "and ballot law."

Section 28, line 10, strike out the words "good faith" and insert after the word "resident" the words "in good faith."

Section 33, line 10, after the word "candidates" insert "if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office."

Section 34, omit all after the word "mark" in line 1, up to and including the word "chapter" in line 2; after the word "two" in line 2, insert the word "substantially;" in line 3, after the word "practicable" insert the words "placed in the circle or square;" lines 5 and 7, strike out the sentence commencing "if a voter" and ending "such office."

Section 44, add the words "the right of any citizen to vote at any city, town or school election on the question of issuing any bonds for municipal or school purposes, and for the purpose of borrowing money, or on the question of increasing the tax levy, shall not be denied or abridged on account of sex."

Chapter 4, section 8, line 8, omit "copies of the register lists" and insert in place thereof "the registry books and lists and other papers pertaining to the registration;" also change "six" to "eighteen."

Chapter 6, section 8, strike out the word "and" in the seventh line, and insert at the end of the section the words "and the superintendent of public instruction in the sum of not less than two thousand dollars."

Section 11, after the word "required" in line 1, insert the words "except as hereinafter specified." At the end of the section add the words "*Provided*, that any association or incorporation which does the business of insuring the fidelity of others, and which has authority by law to do business in this state, shall be accepted as surety upon bonds required by law with the same force and effect as sureties above qualified."

Chapter 7, section 1, lines 16 and 18, strike out the word "for" at the beginning of each line.

Chapter 10, section 12, add at the end of the section "except that when the office is one to be filled by the General Assembly, the appointee shall hold only until the General Assembly elects."

Chapter 11, section 4, line 1, strike out the words "when any surety on the bond of a civil officer" and insert "when any surety on a bond required by law except as otherwise provided."

Chapter 12, add two sections as follows:

SEC. 13. All officers required by the provisions of this Code to collect and pay over fines and fees shall, except as otherwise provided, on the first Monday in January in each year, make report thereof under oath to the board of supervisors of the proper county showing the amount of fines assessed and the amount of fines and fees collected, together with vouchers for the payment of all sums collected to the proper officer.

SEC. 14. Clerks of district, superior and police courts, mayors of cities and towns, and justices of the peace shall, on the first Monday of January of each year make report in writing to the board of supervisors for their respective counties of all forfeited recognizances in their offices; of all fines, penalties and forfeitures imposed in their respective courts which by law go into the county treasury for the benefit of the school fund; in what cause or proceeding, when and for what purpose, against whom and for what amount rendered; whether said fines, penalties, forfeitures and recognizances have been paid, remitted, cancelled or otherwise satisfied, if so when, how and in what manner; if not paid, remitted, cancelled or otherwise satisfied, what steps have been taken to enforce the collection

thereof, and the prospect of such collection. Such report must be full, true and complete with reference to the matters therein contained and of all things required by this section to be reported, and be under oath; and any officer failing to make such report shall be guilty of a misdemeanor.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 159, a bill for an act to prescribe a standard form of fire insurance policy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: In line 2, section 1, after the word "of" insert the word "stock;" in line 3, after the word "standard," insert the word "stock fire insurance;" also in line 3, after the word "policy" insert "or the Iowa Standard Mutual Fire Insurance company, or the Iowa Standard Assessment Insurance policy, as the case may be;" in line 5 the word "form" be changed to "forms;" in line 8 the word "form" be changed to "forms," and the word "is" be stricken out and the word "are" be inserted; in line 9 the word "is" be stricken out and the word "are" inserted. In section 2, line 3, the word "its" be stricken out and the word "their" inserted; in line 8 the word "its" be stricken out and the word "their" inserted. In section 4, line 5, after the word "provided" insert the words "with respect to such kinds of insurance;" in line 6 the word "said" be stricken out, and the word "such" inserted; in line 7 the word "Iowa" be stricken out and the quotation marks be omitted, and that as amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Allyn, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 73, a bill for an act to amend section 5894, chapter 33, of McClain's Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and reform, to whom was referred Senate file No. 254, a bill for an act to define the number of officers and employes of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to

report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the acts of the Twenty-fifth General Assembly in relation to public libraries.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 245, a bill for an act legalizing the acts of the council of the town of Coin, Page county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said town.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 440, a bill for an act to legalize the organization and official proceedings of the independent school district of Cooper, in Greene county, Iowa.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 79, a bill for an act to authorize kindergartens in independent school districts.

G. S. GILBERTSON,
Chairman Committee on part of Senate.
W. E. HAUGER,
Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file

No. 111, a bill for an act to authorize the state or any county or other municipal corporation to receive, hold and manage gifts, devises, and bequests made thereto, absolutely or in trust for specific purposes.

G. S. GILBERTSON,

Chairman Committee on part of Senate.

W. E. HAUGER,

Chairman Committee on part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 209, a bill for an act to legalize the incorporation of the town of Earlham, Iowa, and subsequent actions of the councils of said town.

G. S. GILBERTSON,

Chairman Committee on Part of Senate.

W. E. HAUGER,

Chairman Committee on Part of House.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 278, a bill for an act to legalize the issuing of certain warrants on the general fund and certain funding and refunding bonds of the city of Ottumwa, Iowa.

G. S. GILBERTSON,

Chairman Committee on part of Senate.

W. E. HAUGER,

Chairman Committee on part of House.

BILLS ON SECOND READING.

On motion of Senator Everall, Senate file No. 18, a bill for an act changing the number of directors from six to five in certain independent school districts, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper offered the following amendment:

Strike out the word "five" and insert the word "seven."

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Allyn, Byers, Carpenter, Cheshire, Downey, Druet, Ellis, Garst, Gilbertson, Harper, Hipwell, Hobart, Hurst, Junkin, Lehfeldt, Lothrop, Penrose, Pusey, Ranck, Sargent, Waterman—21.

The nays were:

Senators Alexander, Bell, Berry, Bonson, Carney, Carroll, Eaton, Ericson, Everall, Funk, Gorrell, Harriman, Henderson, Hospers, Hotchkiss, Kilburn, Mitchell, Palmer, Perrin, Phelps, Rikken, Rowen, Trewin, Upton, Young—25.

Absent or not voting:

Senators Blanchard, Craig, Ellison and Healy—4.

So the amendment was lost.

Senator Ellis offered the following amendment:

Amend so that the bill will read "seven directors for independent school districts comprising cities of the first class and five in all other independent districts."

On this a division was called for, and the amendment prevailed.

Senator Everall moved that the bill be recommitted to Committee on Schools, and that it retain its place on the Calendar.

On motion of Senator Hurst, Senate file No. 184, a bill for an act to amend section 3, chapter 105, acts of the Twenty-second General Assembly, fixing compensation of members of the soldiers' relief commission, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Hotchkiss moved to amend the bill by striking out the word "relief."

Carried.

Senator Cheshire offered the following amendment:

I move to amend by striking out the word "fifty" in —— line and inserting in lieu thereof the words "one hundred."

Lost.

Senator Byers moved to amend the bill by striking out the word "fifty" and insert "seventy-five" in lieu thereof.

Lost.

Senator Carroll offered the following amendment:

Strike out line 4 and insert "the actual expenses incurred in the performance of their official duties to be audited by the board of supervisors and paid out of the county fund."

Lost.

Senator Hurst moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bell, Berry, Byers, Cheshire, Downey, Ellis, Ericson, Everall, Harper, Hipwell, Hotchkiss, Hurst, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Trewin, Upton—20.

The nays were:

Senators Alexander, Allyn, Blanchard, Bonson, Carney, Carpenter, Carroll, Druet, Eaton, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hospers, Junkin, Kilburn, Lothrop, Mitchell, Pusey, Rowen, Sargent, Waterman, Young—25.

Absent or not voting:

Senators Craig, Ellison, Funk, Hobart, Lehfeldt—5.

So the bill was declared lost.

On motion of Senator Rowen, Senate file No. 227 (substitute for Senate file No. 24), a bill for an act requiring juvenile prisoners be kept apart, with report of committee recommending the adoption of the substitute, was taken up, considered, and the report of the committee adopted.

Senator Rowen moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None:

Absent or not voting:

Senators Bell, Berry, Craig, Ellison, Hipwell—5.

So the bill passed.

Senator Ellis moved that the title be amended by adding the words "from other offenders."

So the title as amended was agreed to.

On motion of Senator Waterman, Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties, with report of committee recommending certain amendments, and that when so amended the same do pass, was taken up, considered, and the report of the committee adopted.

The hour for special order having arrived, Senator Waterman moved that the special order be deferred until Senate file No. 162 be disposed of.

Carried.

Senator Waterman moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Ellis, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hospers, Hotchkiss, Junkin, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—37.

Senator Eaton voted in the negative.

Absent or not voting:

Senators Bell, Berry, Craig, Everall, Healy, Hipwell, Hobart, Hurst, Kilburn, Mitchell, Pusey, Ellison—12.

So the bill passed and the title was agreed to.

On motion of Senator Berry, Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations and regulating the same, with report of committee recommending a substitute, and when adopted it do pass, was taken up and considered.

Senator Berry offered the following amendment:

I move that the report of the committee be amended by striking out the word "section" and the numeral "2" in the first line of section 2, so that section 1 shall include sections 1 and 2 of the bill, and that sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 be sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19.

Adopted.

Senator Berry offered the following amendment:

I move to amend section 1 by striking out the word "may" in the fifth line thereof and inserting in lieu thereof the word "shall."

Adopted.

Senator Berry offered the following amendment to section 1:

Insert after the word "death" in the fifth line the words "and may make provision for the payment of benefits in case of."

Adopted.

Senator Berry offered the following amendment to section 3:

Strike out the word "insured" in the fourth line thereof.

Adopted.

Senator Cheshire moved to amend section 3 by striking out the word "relative" in the fourth line.

Lost.

Senator Berry offered the following amendment to section 4:

Insert the word "life" before the word "insurance" in line 2.

Adopted.

Senator Berry offered the following amendment to section 7:

Insert after the word "association" in the first line thereof the words "and of any claim for benefits."

Adopted.

Senator Berry offered the following amendment to section 9:

Strike out the word "association" in the eleventh line thereof and insert in lieu thereof the word "examination."

Adopted.

Senator Trewin offered the following amendment to section 10, line 19:

Insert after the word "salaries" the words "fees per diem, mileage and expenses," and after the word "officers" the words "showing amount paid to each."

Adopted.

Senator Trewin offered the following amendment to section 18:

Any officer, agent or member of such association who shall obtain any money or property belonging thereto, by any false or fraudulent representation, shall be fined not more than \$500 and costs and stand committed until such fines and costs are paid, or may be imprisoned in the county jail not more than six months; and also change section 18 to section 19 and section 19 to section 20.

Adopted.

Senator Berry offered the following amendment to section 20:

Every applicant for membership in any association organized in this state shall first be examined by a physician holding a certificate from the state board of medical examiners.

Adopted.

Senator Berry moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Garst, Gilbertson, Gorrell, Hariman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeldt, Lothrop, Palmer,

Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Funk, Harper, Mitchell, Penrose, Waterman—7.

So the bill passed and the title was agreed to.

Senator Berry moved to take up House messages.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 211, a bill for an act to authorize cities and towns to change their form of indebtedness.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 350, a bill for an act to authorize cities to establish a department of health, and defining its organized powers and duties.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 332, a bill for an act to amend section 989 of the Code, relative to the drainage of surface waters from the highways.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 237, a bill for an act to punish the keeping and maintaining of resorts for sale and use of opium and its preparation.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 162, a bill for an act to amend section 1433 of the Code, relating to the care of the insane.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 181, a bill for an act to amend section 2613 of the Code of Iowa, relating to service of notice.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 418, a bill for an act to enable the trustees or commissioners of state institutions to lay out, establish, vacate or change public highways through land owned by the state, on which state institutions are situated.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and to legalize the ordinances passed by said town.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 226, a bill for an act to amend chapter 71, acts of the Twenty-second General Assembly, relating to the sale of liquors by pharmacists.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of officers.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of its council.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following, in which the concurrence of the Senate is asked:

Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery company, of Manchester, Iowa, etc.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected the following bill, in which the concurrence of the House was asked:

Senate file No. 216, a bill for an act to amend section 1922 of the Code, and for the protection of married women.

JAMES D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

House file No. 216, a bill for an act to amend section 1922 of the Code, and for the protection of married women, was passed on file.

House file No. 332, a bill for an act to amend section 989 of the Code, relative to the drainage of surface water from the

highways, was read first and second time and referred to Committee on Highways.

House file No. 350, a bill for an act authorizing certain cities to establish a department of health, and defining its organized powers and duties, was read first and second time and referred to Committee on Cities and Towns.

House file No. 211, a bill for an act to authorize cities and towns to change their form of indebtedness, was read first and second time and referred to committee on Cities and Towns.

House file No. 162, a bill for an act to amend section 1423 of the Code, relating to care of the insane, was read first and second time and referred to Committee on Judiciary.

Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery company, of Manchester, Iowa, was read first and second time and referred to Committee on Public Health.

Senator Young moved that the House amendment to Senate file No. 295 be concurred in.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lehfeldt, Lothrop, Mitchell, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Garst, Kilburn, Funk, Palmer—6.

So the amendment was concurred in.

Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, was passed on file.

Senate file No. 385, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of its councils, was passed on file.

Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and to

legalize the ordinances passed by said town, was passed on file.

Senate file No. 274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers, was passed on file.

Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa, was passed on file.

House file No. 187, a bill for an act to amend section 2613 of the Code of Iowa, relating to the service of notice, was read first and second time and referred to Committee on Judiciary.

House file No. 237, a bill for an act to punish the keeping and maintaining of a resort for sale and use of opium and its preparation, was read first and second time and referred to Committee on Public Health.

Senate file No. 226, a bill for an act to amend chapter 71, acts of the Twenty-second General Assembly, relating to the sale of liquors by pharmacists, was passed on file.

House file No. 418, a bill for an act to enable trustees or commissioners of state institutions to lay out, establish, vacate or change public highways through land owned by the state, on which state institutions are situated, was read first and second time and referred to Committee on Highways.

Senator Penrose offered the following resolution and moved its adoption:

Resolved, That when the Senate adjourn it be until Thursday morning, March 12, at 9 o'clock.

Adopted.

On motion of Senator Blanchard, Senate file No. 317, a bill for an act to amend section three thousand and sixty-one (3061) of the Code, relating to the rate of interest on judgments where a stay of execution is taken, with report of committee recommending that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Blanchard moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell,

Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Riggen, Sargent, Trewin, Upton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellison, Everall, Funk, Hurst, Rowen, Waterman—7.

So the bill passed and the title was agreed to.

The Journal of Monday was taken up, read, corrected and approved.

Senator Druet moved that 300 copies of minority report on Senate file No. 168 be printed.

Carried.

Senate adjourned until 9 o'clock A. M. Thursday, March 12.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, March 12, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. O. H. L. Mason, of Green Mountain, Iowa.

PETITIONS AND MEMORIALS.

Senator Perrin presented petition of A. Jones and others, relating to mulct tax.

Referred to Committee on Suppression of Intemperance.

Senator Kilburn presented petition of William Black and others for control of express companies.

Referred to Committee on Railways.

Senator Kilburn presented petition of over 1,200 citizens, favoring equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Kilburn presented petition of R. H. Cooper and others, relating to assessment of taxes, and asked that it be read.

Referred to Committee on Ways and Means.

President Parrott presented remonstrance of F. Stephenson and others against an extra session of the Legislature.

Referred to Committee on Ways and Means.

Senator Phelps presented memorial of Shelby County Farmers' Institute, relating to farmers' institutes.

Referred to Committee on Agriculture.

Senator Phelps presented petition of L. A. Glassbum and others in favor of Senate file No. 160.

Referred to Committee on Schools.

Senator Harriman presented petition of C. A. O'Hanon and others relating to transportation of pupils.

Referred to Committee on Schools.

Senator Penrose presented petition of W. P. Whipple and others for manufacturers' building on the state fair grounds.

Referred to Committee on Agriculture.

Senator Trewin presented remonstrances of John White and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of J. M. Gemmill and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of A. F. Marston and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Geo. W. Bullman and others on same subject.

Referred to Committee on Schools.

On request of Senator Penrose, leave of absence was granted Senator Craig until Monday.

INTRODUCTION OF BILLS.

By Senator Funk, Senate file No. 394, a bill for an act to appropriate funds for support of state fish commissioner.

Read first and second time and referred to Committee on Appropriations.

By Committee on Appropriations the following:

A BILL

For an act to provide for the celebration of the semi-centennial of the admission of Iowa into the Union.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there shall be appointed by the Governor as soon after the passage of this act as may be practicable a commission of three persons, who shall serve without compensation to arrange for, and in conjunction with, a local committee to have charge of an appropriate celebration of the semi-centennial of the admission of Iowa as a state of the Union.

SEC. 2. Such celebration shall be held at Burlington, to commence not earlier than September 1, 1896, provided that not less than ten thousand (10,000) dollars in addition to the state appropriation shall be raised therefor by subscription or otherwise, the payment of which shall be guaranteed to the satisfaction of the said commission.

SEC. 3. The sum of ten thousand (10,000) dollars is hereby appropriated to be paid from the state treasury out of any funds not otherwise appropriated, upon the order of the commission in such sums and at such times as shall be approved by the executive council to defray the expenses authorized by the said commission, which shall make a full and complete report of all expenditures of said funds.

Senator Carney moved that Senate file No. 29 be made a special order for Tuesday, March 17, at 10:30 A. M.

Carried

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 289, a bill for an act to amend section 1074 of the Code, relating to forfeiture of corporate franchises.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 248, a bill for an act to amend sections 2 and 3 of chapter 69 of the acts of the Twenty-fifth General Assembly, to fix the regular term of the additional supreme judge provided for in said act, and to extend the term of the present incumbent.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 379, a bill for an act to amend section 1717 of the Code, as amended by the acts of the Nineteenth General Assembly in chapter 51, relating to powers of electors at the annual district township meeting.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file 228, a bill for an act to legalize certain ordinances of the incorporation of Le Grand, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper and cigarette wrappers.

JAMES D. ROWEN,
Chief Clerk.

On motion of Senator Gorrell, Senate file No. 68, a bill for an act relative to trimming osage orange, willow and all other hedge fences, and for keeping the roads clear of brush and

noxious weeds, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Gorrell offered the following amendment:

MR. PRESIDENT—I move to insert in line 2, section 1, after the word “fence,” the following: “ Except willow hedges kept as wind brakes for orchards and for stock

Adopted.

Senator Harriman offered the following amendment:

MR. PRESIDENT—I move that section 1 be amended by striking out the words “ brush and ” in the fifth line of the printed bill.

On the question, “ Shall the amendment be adopted? ” the yeas were:

Senators Blanchard, Bonson, Byers, Downey, Ellis, Everall, Funk, Gilbertson, Harper, Harriman, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Lehfeldt, Lothrop, Mitchell, Rowen, Sargent, Upton, Waterman, Young—23.

The nays were

Senators Alexander, Allyn, Berry, Carney, Carroll, Cheshire, Eaton, Ericson, Gorrell, Hospers, Perrin, Phelps, Pusey, Ranck—14.

Absent or not voting:

Senators Bell, Carpenter, Craig, Druet, Ellison, Garst, Healy, Junkin, Kilburn, Palmer, Penrose, Rikken, Trewin—13.

So the amendment was adopted.

Senator Carroll offered the following amendment:

Strike out all preceding the words “ the owner ” in line 1, section 1.

Adopted.

Senator Bonson offered the following amendment:

I move to strike out the first three lines of section 1 and also strike out in line 4, section 1, the word “ also.”

Senator Waterman moved that the bill be recommitted to the Committee on Highways and that it retain its place on the Calendar.

Carried.

On motion of Senator Carpenter, Senate file No. 200, a bill for an act amending chapter 151, acts of the Eighteenth General Assembly, relative to the state board of health, with report of committee recommending that House file No. 122 be substituted therefor with amendments, and that when so adopted and

amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Carpenter moved to reconsider the vote by which the report of the committee on Senate file No. 200 was adopted.

Carried.

Senator Carpenter offered the following amendment to the report of the committee:

Insert the word "hereafter" before the word "appointed" in the fourth line of printed bill and strike out the word "provided," and all thereafter.

Report as amended was adopted.

Senator Carpenter moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Downey, Eaton, Everall, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hespers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

Senator Bonson voted in the negative.

Absent or not voting:

Senators Byers, Craig, Druet, Ellis, Ellison, Ericson, Gilbertson, Hipwell, Hurst, Lothrop—10.

So the bill passed and the title was agreed to.

On motion of Senator Ellis, House file No. 39, a bill for an act repealing section 3959 of the Code, relative to breaking jail, with report of committee recommending that it be not concurred in was taken up and considered.

Senator Ellis moved to amend the report of the committee by striking out the word "not."

A division was called for and the motion prevailed.

The report of the committee as amended was adopted.

Senator Cheshire offered the following amendment:

I move to amend by striking out the word "fifty-nine" in the line of section one and inserting the word "thirty-nine" in lieu thereof.

Adopted.

Senator Ellis moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Blanchard, Byers, Carpenter, Carroll, Cheshire, Druet, Eaton, Ellis, Ericson, Everall, Funk, Gilbertson, Gorrell, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Upton—32.

The nays were:

Senators Allyn, Bell, Berry, Bonson, Downey, Harper, Healy, Hurst, Kilburn, Rowen, Waterman, Young—12.

Absent or not voting:

Senators Carney, Craig, Ellison, Garst, Hipwell, Mitchell—6.

So the bill passed and the title was agreed to.

Senator Everall moved that special order No. 1 on the Calendar be continued until next Tuesday, March 17, at 9:30 A. M. Carried.

On motion of Senator Ranck, substitute for House file No. 188, a bill for an act to provide for the erection of necessary buildings for the State University of Iowa, with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee and amendments were adopted.

Senator Ranck moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lehfeldt, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

Senators Bell, Carroll, Kilburn, Phelps—4.

Absent or not voting:

Senators Craig, Ellison and Mitchell—3.

So the bill passed and its title was agreed to.

Senator Rowen offered the following and asked that it be printed in the Journal:

. I voted on House file No. 39 under a misapprehension and desire to have the records show that I voted "aye."

House file No. 90, a bill for an act to amend section 3814 of the Code, relating to witness fees, with report of committee recommending that it be not concurred in, was taken up, considered, and the report of the committee adopted.

On motion of Senator Upton, Senate file No. 133, a bill for an act to repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways, with report of committee recommending certain amendments, and when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Upton moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Druet, Ellis, Ericson, Everall, Funk, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

Senator Eaton voted in the negative.

Absent or not voting:

Senators Carpenter, Craig, Downey, Ellison, Garst, Gilbertson, Gorrell, Hurst, Kilburn—9.

So the bill passed and the title was agreed to.

On motion of Senator Ellis, House file No. 47, a bill for an act to repeal section 2580 of the Code, relating to venue and change thereof, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Craig, Ellison, Gorrell, Hipwell, Hurst, Ranck—8.

So the bill passed and its title was agreed to.

On motion of Senator Ericson, Senate file No. 170, a bill for an act regarding fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa, with report of committee recommending that same do pass as amended, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved to amend the bill by striking out the numerals wherever they appear in the body of the bill and insert the written words in lieu thereof.

Carried.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfeltdt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

Senator Bonson voted in the negative.

Absent or not voting:

Senators Allyn, Byers, Craig, Ellison, Funk, Hobart, Ranck—7.

So the bill passed.

Senator Ellis moved that the word "regarding" be stricken out of the title, and the word "regulating" inserted.

Carried.

The title as amended was agreed to.

On motion of Senator Waterman, Senate file No. 163, a bill for an act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harri-man, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—44.

Senator Healy voted in the negative.

Absent or not voting:

Senators Allyn, Carpenter, Craig, Ellison, Trewin—5.

So the bill passed and its title was agreed to.

On motion of Senator Perrin, Senate file No. 209, a bill for an act to amend section 3072 of the Code, was taken up and considered.

Senator Bonson offered the following amendment:

Add after the end of the section the words "when the libel was committed by publication in a newspaper published or owned by its defendants.

On this a division was called for and the amendment prevailed.

Senator Healy offered the following amendment:

Amend by adding after the word printer in line 3 the words, "nor to the library of a lawyer."

A division was demanded and the amendment prevailed.

Senator Trewin offered the following amendment.

I move to amend by inserting after the word lawyer the words "or preacher."

Senator Bonson moved that the amendment be laid on the table.

Carried.

On motion of Senator Carpenter, Senate file No. 183, a bill for an act to make an annual appropriation to the State Agricultural Society, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up and considered

Senator Waterman moved that House file No. 200 with the amendments reported by the committee be substituted for this bill.

Senator Carroll moved that the time of adjournment be extended ten minutes.

Lost.

REPORT OF STANDING COMMITTEES.

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 263, a bill for an act to establish and continue a chair of pedagogy in the State Agricultural College, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. C. BLANCHARD,
Chairman.

Ordered on Calendar without reading.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 360, a bill for an act to provide for state scholarships in the State University of Iowa, and the manner of awarding the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. C. BLANCHARD,
Chairman.

Ordered on Calendar without reading.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 144, a bill for an act to repeal section 5342 of McClain's Code, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. C. BLANCHARD,
Chairman.

Ordered on Calendar without reading.

Senator Ellis, from the Committee on Judiciary, submitted the following minority report:

MR. PRESIDENT—The minority of your Committee on Judiciary, to whom was referred House file No. 274, a bill for an act to provide for holding terms of the district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the State of Iowa, defining the territorial jurisdiction of said court, restricting that of the corresponding court to be held at Sioux City, in said county of Woodbury, have instructed me to report the same back to the Senate with the recommendation that the bill be not concurred in.

L. A. ELLIS,
Chairman.

Ordered on Calendar without reading.

Senator Carpenter, from the Committee on Code Revision, presented the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 97, a bill for an act to revise, amend and codify the statutes in relation to domestic relations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

Page 651, section 2, strike out all of lines 4 and 5.

Page 652, section 10, strike out all of the remainder of the section after the word "unmarried" in the third line.

Page 652, section 15, line 5, strike out the word "the" after the word "in" and before the word "real" and insert in lieu thereof the word "said;" also strike out of lines 5 and 6, same section, the words "of the petitioner described in the petition."

Page 652, section 16, line 5, insert after the word "any" and before the word "defense" the words "legal or equitable;" also strike out in lines 5 and 6 the words "which ought to be done in the same manner defenses may be made by those who are sane."

Page 653, section 2, line 6, strike out the words "and that the petitioner is now and expects to remain a resident thereof."

Page 653, section 4, strike out lines 6 and 7.

On page 600, strike out section 34 and insert the following in lieu thereof:

SEC. 34. Whenever the sale of the real estate of such ward is necessary for his support, or for the support of his family, or the payment of his debts, or will be for the interest of the estate or his children, the guardian may sell the same under like proceedings as required by law to authorize the sale of real estate by the guardian of a minor. The court shall, if necessary, set off to the wife and children under fifteen years of age of the insane person or to either, sufficient of his property of such kind as it shall deem appropriate, to support them from twelve months from the time he was adjudged insane.

On page 660, strike out sections 38 and 39.

Page 660, section 35, line 2, insert after the word "the" and before the word "contracts" the word "real"; also line 4, same section, insert after the word "the" and before the word "contracts" the word "real."

Your committee recommends that when the amendments are adopted the bill do pass.

C. A. CARPENTER,
Chairman.

Ordered on Calendar without reading.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, March 13, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. J. C. Hall, of Fontanelle, Iowa.

PETITIONS AND MEMORIALS.

Senator Perrin presented remonstrance of independent school district No. 5, of New Hampton township, against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Perrin presented remonstrance of M. W. Warren and others against increase of state tax, and for adoption of the Code at this session.

Referred to Committee on Ways and Means.

Senator Rowen presented memorial of General Logan Post No. 133, G. A. R., favoring Senate file No. 124, a bill for an act providing for the accommodation of soldiers at the Soldiers' Home at Marshalltown, and asked that it be read.

Referred to Committee on Military.

Senator Everall presented petition of Clayton County Teachers' association favoring additional normal schools.

Referred to Committee on Appropriations.

Senator Sargent presented petition of Wm. Harris and others for control of express companies.

Referred to Committee on Railways.

Senator Trewin presented remonstrance of W. H. Young and others against the passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Henry Gramlech and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Edward Ryan and others on same subject.

Referred to Committee on Schools

Senator Trewin presented remonstrance of W. Stiles and others on same subject.

Referred to Committee on Schools.

Senator Hotchkiss presented remonstrance of L. W. Clayton and others against an extra session.

Referred to Committee on Ways and Means.

Senator Hotchkiss presented remonstrance of E. Culver and others on same subject.

Referred to Committee on Ways and Means.

Senator Blanchard presented memorial of the Farmers' Institute of Mahaska county against any legislation that would interfere with the farmers' institute laws.

Referred to Committee on Agriculture.

Senator Palmer presented memorial of I. G. White Post, G. A. R., in relation to Soldiers' Home and Senate file No. 307.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Young, Senate file No. 396, a bill for an act to appropriate money to pay individuals and counties in Iowa for making exhibit of Iowa at New Orleans.

Read first and second time and referred to Committee on Claims.

By Senator Perrin, Senate file No. 397, a bill for an act providing for the publication and distribution of the proceedings of the fifth reunion of the Pioneer Law-Makers' association of Iowa.

Read first and second time and referred to Committee on Printing.

By Senator Alexander, Senate file No. 398, a bill for an act authorizing people of cities acting under special charters to transfer or dedicate parks, public squares or plats of ground for free public library building purposes.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Blanchard (by request), Senate file No. 399, a bill for an act to provide the method for electing Representatives to Congress.

Read first and second time and referred to Committee on Elections.

By Senator Druet, Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed and elections held to bond the city of Pella.

Read first and second time and referred to Committee on Judiciary.

By Senator Funk for Senator Lehfelddt, Senate file No. 401, a bill for an act to amend section 3 of chapter 134 of the acts of the Twenty-first General Assembly to transfer Harrison county from the Fourth to the Fifteenth judicial districts.

Read first and second time and referred to Committee on Congressional and Judicial Districts.

By Senator Phelps,

JOINT RESOLUTION NO. 16.

Proposing an amendment to the state constitution in relation to the method of voting.

Be it Resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed, viz:

SECTION 1. To amend section 6 of article 2 of the state constitution of Iowa, which reads as follows: "All elections by the people shall be by ballot," by adding the words "or by such other method as may be prescribed by law; *provided*, that secrecy in voting is preserved." Said section, when so amended, to read as follows:

All elections by the people shall be by ballot, or by such other method as may be prescribed by law; *provided*, that secrecy in voting is preserved.

Read first and second time and referred to Committee on Constitutional Amendments.

Senator Alexander moved that Senate file No. 383 be recalled from the Committee on Public Buildings and referred to Committee on Appropriations.

On request of Senator Penrose, leave of absence was granted Senator Ellis until Saturday.

On request of Senator Phelps, leave of absence was granted Senator Mitchell until Saturday.

HOUSE MESSAGES.

House file No. 289, a bill for an act to amend section 1074 of the Code, relating to forfeiture of corporate franchises, was read first and second time and referred to Committee on Judiciary.

House file No. 248, a bill for an act to amend sections 2 and 3 of chapter 69 of the acts of the Twenty-fifth General Assembly, to fix the regular term of the additional supreme judge provided for in said act, and to extend the term of the present incumbent, was read first and second time and referred to Committee on Judiciary.

House file No. 379, a bill for an act to amend section 1717 of the Code, as amended by the acts of the Nineteenth General

Assembly in chapter 51, relating to powers of electors at the annual district township meeting, was read first and second time and referred to Committee on Schools.

Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporation of Le Grand, Iowa, was passed on file.

Substitute for Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, was read first and second time.

Senator Phelps moved that the substitute be taken up for consideration now.

Carried

Senator Phelps moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ericson, Funk, Garst, Gorrell, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Penrose, Perrin, Phelps, Rigger, Rowen, Sargent, Waterman, Young—34.

The nays were:

Senator Bonson, Downey, Everall, Harper, Hipwell, Hurst, Pusey, Ranck, Trewin, Upton—10.

Absent or not voting:

Senators Ellis, Ellison, Gilbertson, Lehfeltdt, Mitchell, Palmer—6.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEES.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was re-committed Senate file No. 68, a bill for an act relative to trimming osage orange, willow and all other hedge fence, and for keeping the roads clear of brush and noxious weeds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted for said Senate file No. 68 and recommend that said substitute be adopted, and when so adopted it do pass:

A BILL

For an act relative to trimming osage orange, willow and all other hedge fences along the highway and for keeping the roads clear of weeds.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the owner of any osage orange, willow or any other hedge fence, unless the same shall be used as a wind-break for orchards or stock or shall be maintained as an ornamental fence, shall keep the same trimmed along the public highways by trimming or cutting back to within five feet of the ground at least once in every two years; it shall also be the duty of all people owning land along the public highways to keep the adjoining half of the highway at all times clear of weeds, and it shall be done at such time as to prevent such woods from going to seed.

SEC. 2. And it shall be the duty of the road supervisor, in case of a failure to comply with section 1 of this act, to serve notice on such owner; then if such owner refuse or neglect to comply with section 1 hereof for a period of ten days for cutting weeds and sixty days for cutting hedges, after service of such notice, the road supervisor shall cause such work to be done, and it shall be paid for out of the highway fund.

SEC. 3. It shall be the duty of the road supervisor to notify the owner of the land of the expense of doing the work as provided in section 2.

SEC. 4. The township clerk, when certifying lists of land for transmission to the county auditor, upon which the highway tax has not been paid, as provided in section 975 of the Code of 1873, shall include in such lists a description of all such lands and the names of the owners, along which any work has been done by the road supervisor, in accordance with the provisions of this act, together with the amount paid out of the highway fund therefor, and the auditor shall enter the amount against the land and the owner thereof, unless same has been previously paid, and deliver the same to the county treasurer, and which amount shall be collected by the treasurer in the same manner that county taxes are collected.

SEC. 5. Where the township system is adopted under chapter 200 of the acts of the Twentieth General Assembly, it shall be the duty of township trustees to enforce the provisions of this act.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 362, a bill for an act to enable trustees or commissioners of state institutions to lay out, establish, vacate or change public highways through land owned by the state on which state institutions are situated, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: By adding after the word "public" in line 4, section 1, printed bill, the words "subject, however, to the approval of the board of supervisors of the county or the city council of the city wherein such lands are situated;" also in line 1, section 2, printed bill, to insert after the word "commissioners" the words "and board of supervisors or city council;" also to add section 3 to said bill as

follows: "That section 954 of the Code of Iowa of 1873 be and the same is hereby repealed," and when so amended the bill do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 196, a bill for an act relative to trimming osage orange, willow or other hedge fence used for division fence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Healy, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 312, a bill for an act amending chapter one (1) of the title nine (9) of the Code as amended by chapter eighty-six (86) of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 305, a bill for an act requiring corporations to file their articles of incorporation with the Secretary of State, and procuring a certificate to transact business within the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for a bill covering the same subject matter has already been reported by the committee.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 155, a bill for an act to appropriate money to procure for the Governor's rooms in the Capitol portraits of ex-Governor John H. Gear, ex-Governor Buren R. Sherman, ex-Governor William Larrabee, ex-Governor Horace Boies and ex-Governor Frank D. Jackson, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that it is the same as House file No. 55, which has been previously acted upon by the committee

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 2, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that it is the same as House file No. 223, which has been previously acted upon by the committee.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 357, a bill for an act amending chapter 2 of title 10 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 119, a bill for an act to amend chapter 91, acts of the Twenty-fifth General Assembly, relating to the extermination of Russian thistles.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 244, a bill for an act to indemnify counties for money advanced to support indigent persons by the overseer of the poor in certain cases.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 377, a bill for an act to amend chapter 167, acts of the Nineteenth General Assembly, as amended by chapter 22, acts of the Twenty-third General Assembly, and by chapter 36, acts of the Twenty-fifth General Assembly, providing for the issue of additional kinds of

certificates and diplomas, and directing more clearly the manner in which a certificate or a diploma may be revoked by the state educational board of examiners.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 311, a bill for an act to amend section 2276 of the Code, as amended by chapter 70 of the laws of the Twenty-second General Assembly, authorizing guardians of insane persons to mortgage the real estate of their wards.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 92, a bill for an act to amend section 3 of chapter 134 of the acts of the Twenty-first General Assembly, to transfer Marshall county from the Eleventh to the Seventeenth judicial district, and to provide a second Judge for the Seventeenth judicial district.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 331, a bill for an act to authorize cities acting under special charters to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON THIRD READING.

Senate resumed consideration of motion by Senator Waterman to substitute House file No. 200 with the amendment reported by the committee for Senate file No. 183, Senator Cheshire having the floor.

MESSAGE FROM THE GOVERNOR.

The Governor's Private Secretary appeared and read the following message:

STATE OF IOWA,
EXECUTIVE OFFICE,
Des Moines, Iowa, March 13, 1896. }

MR. PRESIDENT—I am instructed by the Governor to inform the honorable the Senate, that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate file No. 247, an act to amend sections 289 and 290 of the acts of 1873, as amended by chapter 56 of the acts of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Senate file No. 199, an act appropriating money to defray the expenses of the Inaugural ceremonies.

Senate file No. 315, an act to provide for the payment of the mileage of the committees appointed to visit the state institutions.

Senate file No. 40, an act to enable boards of school directors to provide free text books for pupils in the public schools.

Senate file No. 106, an act regulating the forfeiture of contracts for the sale of real estate.

Senate file No. 186, an act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class.

Senate file No. 76, an act to legalize the ordinances passed by the incorporated town of Glidden, Carroll county, Iowa.

WM H. FLEMING,
Private Secretary.

Senator Blanchard introduced the following:

We, the undersigned, members of the Committee on Educational Institutions, hereby request our chairman, Senator Blanchard, to recall Senate file No. 60 for further consideration and amendment, and request that its place be retained on the Calendar.

A. C. HOBART,
THOS. BELL,
A. C. HOTCHKISS,
D. J. PALMER,
WARREN GARST,
C. S. RANCE,
E. G. PENROSE,
R. BONSON.

Senator Funk moved that the Senate now go into executive session.

Carried.

At 11:50 A. M., the Senate went into executive session.

At 12 M., the Senate arose from executive session.

The Senate then adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, March 14, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. J. Young, Presbyterian evangelist for Iowa.

On request of Senator Alexander, leave of absence was granted Senator Gorrell.

On request of Senator Druet, leave of absence was granted Senator Lothrop.

On request of Senator Penrose, leave of absence was granted Senator Ellis until Monday.

On request of Senator Phelps, leave of absence was granted Senator Mitchell.

PETITIONS AND MEMORIALS.

Senator Trewin presented remonstrance of David Smith and others against the passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of M. H. Kennedy and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of G. H. Kendt and others on same subject.

Referred to Committee on Schools.

Senator Healey presented memorial of Ft. Donaldson Post, G. A. R., at Ft. Dodge, relative to soldiers' monument.

Referred to Committee on Military.

Senator Trewin presented remonstrance of Wm. J. H. Schultz and others on same subject.

Referred to Committee on Schools.

Senator Phelps presented remonstrance of C. M. Myers and others of Cass county, against extra session.

Referred to Committee on Ways and Means.

Senator Trewin presented remonstrance of J. H. O'Neil and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Patrick Brady and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Matt Kelley and others on same subject.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Waterman, Senate file No. 402, a bill for an act to protect the meandered lakes of Iowa and to give the executive council control of lakes and lake beds.

Read first and second time and referred to Committee on Judiciary.

By Committee on Ways and Means, Senate file No. 403, a bill for an act to provide for the payment of current expense fund for Hospitals for Insane in advance.

Ordered on Calendar.

By Senator Rowen, Senate file No. 404, a bill for an act to amend section 5479, chapter 15, McClain's Code, in relation to prosecution of publishers for libel.

Read first and second time and referred to Committee on Printing.

By Senator Healy, Senate file No. 405, a bill for an act to amend chapter 167, acts of the Nineteenth General Assembly, as amended by chapter 22, acts of the Twenty-third General Assembly and by chapter 36, acts of the Twenty-fifth General Assembly, providing for the issue of additional kinds of certificates and diplomas and directing more clearly the manner in which a certificate or a diploma may be revoked by the state educational board of examiners.

Read first and second time and referred to Committee on Schools.

HOUSE MESSAGES.

House file No. 377, a bill for an act to amend chapter 167, acts of the Nineteenth General Assembly, as amended by chapter 22, acts of the Twenty-third General Assembly, and by chapter 36, acts of the Twenty-fifth General Assembly, providing for the issue of additional kinds of certificates and diplomas, and directing more clearly the manner in which a certificate or a diploma may be revoked by the state educational board of examiners, was read first and second time and referred to Committee on Schools

House file No. 331, a bill for an act to authorize cities acting under special charters to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property, was read first and second time and referred to Committee on Cities and Towns.

House file No. 119, a bill for an act to amend chapter 91, acts of the Twenty-fifth General Assembly, relating to the extermination of Russian thistles, was read first and second time and referred to Committee on Agriculture.

House file No. 311, a bill for an act to amend section 2276 of the Code, as amended by chapter 70 of the laws of the Twenty-second General Assembly, authorizing guardians of insane persons to mortgage the real estate of their wards, was read first and second time and referred to Committee on Judiciary.

House file No. 92, a bill for an act to amend section 3 of chapter 134 of the acts of the Twenty-first General Assembly, to transfer Marshall county from the Eleventh to the Seventeenth judicial district, and to provide a second judge for the Seventeenth judicial district, was read first and second time.

Senator Penrose moved that House file No. 92 be substituted on Calendar for Senate file No. 335.

Carried.

House file No. 244, a bill for an act to indemnify counties for money advanced to support indigent persons by the overseer of the poor in certain cases, was read first and second time and referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 18, a bill for an act changing the number of directors from six to five in certain independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the following after the words "three years" in line 15, section 2, "except in independent districts including in whole or in part a city of the first class, in which independent district the board shall consist of seven members, three of whom shall be chosen on the second Monday in March, 1897, for three years. After the taking effect of this act the board of such a district shall appoint the seventh member, who shall hold his office until the annual meeting of the electors in March, 1897," and that it do pass when so amended.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 50, a bill for an act to revise, amend and codify the statutes in relation to certain corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass after it has been amended as follows: In section 27, line 7, change the word "one" to "not to exceed three;" in section 27, line 8, change "society" to "weather service;" in section 29, line 2, strike out the words "and fifty;" in section 29, line 3, amend so that after the word "service" it shall read, "including the salary of the director, shall be fifteen hundred dollars per annum."

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 98, a bill for an act to revise, amend and codify the statutes in relation to police regulations of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed after the following amendments have been made:

In section 41, line 12, after the word "up" insert the words "as an estray." Strike out marginal figures, underscoring lines and references at the end of each section.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of George Stanley for pardon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the application be indefinitely postponed.

J. E. ROWEN,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No

101, a bill for an act to legalize the incorporation and acts of the members and the trustees of the Elk Creek Norwegian congregation of Worth county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 237, a bill for an act providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this state, and providing penalties for the violation thereof.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 267, a bill for an act to legalize the action of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery

company, of Manchester, Delaware county, Iowa, and the acts of its officers, in relation to continuation after expiration of limitation, and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer, instead of the sexton, as provided in the articles of incorporation.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the ordinances passed by said incorporated town.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 236, a bill for an act to prohibit the sale and use of impure oil in coal mines and providing penalties for violations thereof.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 253, a bill for an act to legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 9, a bill for an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No 347, a bill for an act to legalize the ordinance of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinance.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 181, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, relating to the appointment of city marshals.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of the town council.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Funk, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was re-referred Senate file No. 145, as amended by this committee, a bill for an act to provide for the taxation of express companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike from section 2 all after the word "provided" in line 6 of the printed bill up to and including the words "provided further" in line 11.

In line 24 of said section 2 substitute the word "one" for the word "two." Strike out the letter "s" from the word "dollars" when it occurs the first time in said line 24, and that as so amended the bill do pass.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Perrin, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 363, a bill for an act to punish the taking of orders for intoxicating liquors from others than authorized dealers in intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: By striking from the title the words "prevent and" in the first line, and the words "and the distribution of such liquors" in the second line, and adding to the title the words "from others than authorized dealers in intoxicating liquors," that section 1 be amended by striking out from the first line the words "that each and every" and inserting in lieu thereof the word "any." By striking out of the second line after the word "liquors" the words "or who shall distribute intoxicating liquors in any city or county" and insert in lieu thereof the words "of any person, firm or partnership except authorized dealers in intoxicating liquors." Strike out of line 3 all after the word "state," and strike out of line 4 the words "acts of the Twenty-fifth General Assembly." Strike out of line 5 the word "penitentiary" and insert in lieu thereof the words "county jail." Strike out the word "six" in the same line and insert the word "three." Strike out of line 6 the words "three months" and insert in lieu thereof the words "thirty days"; after the words "fine of" in the same line insert the words "not to exceed." Strike out of line 7 the word "he" and the words "penitentiary of the State of Iowa" and insert in place thereof the words "county jail." Strike out of line 8 the words "one year" and insert in lieu thereof the words "six months." Strike out the word "six" in the same line and insert the word "three," and in the same line after the words "fine of" insert the words "not to exceed." Strike out section 2; and when so amended that it do pass.

WM. B. PERRIN,
Chairman.

The Journals of Tuesday, Thursday and Friday were read, corrected and approved.

Senator Perrin asked that 300 copies of Senate file No. 363, as amended by committee, be printed.

BILLS ON THIRD READING.

Senate resumed consideration of motion by Senator Waterman to substitute House file No. 200, with the amendments reported by the committee for Senate file No. 183, Senator Trewin having the floor.

Senator Bell moved the previous question.

On the motion shall the main question be put, the motion prevailed.

The main question prevailed, and the report of the committee, with amendments, was adopted.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senator Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Funk, Garst, Gilbertson, Harper, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Palmer, Penrose, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—36.

The nays were:

Senators Bonson, Everall, Kilburn, Perrin, Trewin—5.

Absent or not voting:

Senators Carpenter, Ellis, Ellison, Gorrell, Harriman, Hospers, Lehfeldt, Lothrop, Mitchell—9.

So the bill passed.

Senator Waterman moved to amend the title by striking out the word "annual."

Carried.

So the title as amended was agreed to.

On motion of Senator Waterman, Senate file No. 395, by Appropriation Committee, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the Union, was taken up and considered.

Senator Harper offered the following amendment to the bill:

Strike out "September 1" and insert in lieu thereof "September 10."

Adopted.

Senator Harper offered the following amendment: Add the following

SEC. 4. This act being deemed of immediate importance, shall take effect from and after the date of its publication in the Iowa State Register, and Des Moines Leader, newspapers published in Des Moines, Iowa.

Adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Ellison, Gorrell, Harriman, Hospers, Kilburn, Lehfeldt, Lothrop, Mitchell—10.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 395, a bill for an act making appropriations for enlarging the cell capacity and yard of the penitentiary at Fort Madison, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Carpenter, Ellis, Ellison, Gorrell, Harper, Hospers, Lehfeldt, Lothrop, Mitchell—10.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, House file No. 223, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Ellison, Gorrell, Hipwell, Hospers, Lehfeldt, Lothrop, Mitchell, Perrin—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 396, a bill for an act to repeal section 1740 of the Code of Iowa, and to enact a substitute therefor, relative to the duties of the president of school boards.

House file No. 251, a bill for an act creating the Twentieth judicial district of the State of Iowa, and providing for the appointment of one judge and the election of two judges therein, and also providing for an election of four judges in the Second and three judges in the Sixth judicial districts, defining the jurisdiction of said courts therein, and for holding terms of court in said districts.

House file No. 422, a bill for an act making appropriation for enlarging the cell capacity and yard of the penitentiary at Ft. Madison, Iowa.

JAMES D. ROWEN,

Chief Clerk.

Senator Waterman moved to take up House messages.

HOUSE MESSAGES.

House file No. 422, a bill for an act making appropriation for enlarging the cell capacity and yard of the penitentiary at Fort Madison, Iowa.

Senator Waterman moved that the bill be taken up for consideration.

Carried.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

The nays were:

None:

Absent or not voting:

Senators Blanchard, Carpenter, Ellis, Ellison, Garst, Gorrell, Hospers, Hotchkiss, Lehfeldt, Lothrop, Mitchell—11.

So the bill passed and the title was agreed to.

On motion of Senator Everall, Senate file No. 18, a bill for an act changing the number of directors from six to five, in certain independent school districts, with report of committee recommending amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Hipwell moved to amend the bill by inserting after the words "cities of the first class" the words "or cities under special charters."

Carried.

Senator Everall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Gilbertson, Harper, Harriman, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Waterman, Young—35.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Carpenter, Ellis, Ellison, Funk, Garst, Gorrell, Healy, Hospers, Lehfeldt, Lothrop, Mitchell, Phelps, Pusey, Upton—15.

So the bill passed.

Senator Trewin offered the following substitute for the title of the bill:

For an act repealing sections 1802 and 1808 and amending chapter 8, section 6, as amended, and providing a substitute therefor, relating to the election and number of school directors.

Adopted.

So the substitute to the title was agreed to.

Senator Waterman moved that the vote by which Senate file No. 359 was passed be reconsidered.

Carried.

Senator Waterman moved that the vote by which the bill was ordered to third reading be reconsidered.

Carried.

Senator Waterman moved that the bill be indefinitely postponed.

Carried.

On motion of Senator Junkin, Senate file No. 219, a bill for an act to fix the burden of proof in a certain class of actions against telegraph companies, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper offered the following amendment:

I move the following amendment to Senate file No. 219. Add to section 1 of the bill the following: "Providing that no action for the recovery of such damages shall be maintained unless a claim therefor is presented in writing to such company, officer or agent thereof, within sixty days from the time cause of action accrues."

Adopted.

Senator Berry moved to amend the bill by striking out the publication clause.

Carried.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Hariman, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Ellison, Gorrell, Hipwell, Hospers, Lehfeldt, Lothrop, Mitchell, Phelps—10.

So the bill passed and the title was agreed to.

Senator Perrin moved that Senate file No. 197 be passed over and that it retain its place on the Calendar.

Carried.

Senator Harriman moved that Senate file No. 215 be passed over and retain its place on the Calendar.

Senator Waterman moved to amend by referring the bill to the Committee on Claims.

Lost.

The motion prevailed.

On motion of Senator Trewin, Senate file No. 311, a bill for an act for the protection of game, with report of committee recommending that the same do pass, was taken up, considered and the report of the committee adopted.

Senator Carney offered the following amendment: Strike out the word "take" in first line of section 1, and in first line of section 2, and insert the words "shoot or kill" in lieu thereof.

Adopted.

Senator Trewin moved that the bill be engrossed.

On this a division was called for and the motion prevailed.

Senator Waterman moved that House file No. 200 be recalled from the House for correction.

Carried.

Senator Garst moved the time of adjournment be extended five minutes.

Carried.

Senator Palmer moved that when the Senate do adjourn it be until 11 o'clock a. m., Monday.

Carried.

Senator Druet moved that Senate file No. 144 take its former place on the Calendar.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, March 16, 1896. }

Senate met in regular session, pursuant to adjournment, at 11 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Frank L. Johnston, of Valley Junction, Iowa.

PETITIONS AND MEMORIALS.

Senator Everall presented petition of forty-seven citizens of Strawberry Point, favoring revision of the Code by this Legislature and against an extra session.

Referred to Committee on Ways and Means.

Senator Sargent presented two petitions of A. T. Smith and S. N. Myers and others on same subject.

Referred to Committee on Ways and Means.

Senator Hotchkiss presented petition of George A. Arne and others against an extra session and favoring a uniform basis of assessment.

Referred to Committee on Ways and Means.

Senator Garst presented petition of Dana Reed and forty-one others for uniform taxation.

Referred to Committee on Ways and Means.

Senator Garst presented petition of Dana Reed and thirty-nine others in regard to Code revision.

Referred to Committee on Ways and Means.

Senator Rowen presented petition of Webster City Political Equality club favoring equal suffrage.

Referred to Committee on Constitutional Amendments.

Mr. Funk presented two letters from citizens of Lake Park, Dickinson county, in regard to remonstrances against an extra session and asked that they be read.

Referred to Committee on Ways and Means.

Senator Funk presented petition of seventy citizens of Palo Alto county in regard to Code revision.

Referred to Committee on Ways and Means.

Senator Trewin presented remonstrance of G. F. Deal and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of A. T. Anderson and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of J. P. Becker and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of O. H. Monserud and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of James Kibby and others on same subject.

Referred to Committee on Schools.

Senator Bonson presented petition of James Kinsella and others in relation to Code revision.

Referred to Committee on Ways and Means.

Senator Lothrop presented petition of J. F. Jockey and others on same subject.

Referred to Committee on Ways and Means.

Senator Carroll presented a letter showing refusal of parties to sign petition relating to the Code revision.

Referred to Committee on Ways and Means.

President Parrott presented petition of S. A. Worley and others on same subject.

Referred to Committee on Ways and Means.

Senator Bonson presented petition of Wm. Lawther & Co. and others, relating to the interchangeable mileage law.

Referred to Committee on Railways.

Senator Junkin presented two petitions of J. H. Moore and others relating to an extra session and equalization of assessments.

Referred to Committee on Ways and Means.

President Parrott presented petition of Salem quarterly meeting of Friends, asking repeal of mulct law and restoration of prohibition.

Referred to Committee on Suppression of Intemperance.

Senator Craig presented resolution in regard to soldiers' monument.

Referred to Committee on Military.

Senator Trewin moved that Senate file No. 160 be recommitted to Committee on Schools, and that it retain its place on the Calendar.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 406, a bill for an act creating a board of police and fire commissioners in all cities of the first-class having a population of more than 55,000, and defining the duties and powers of such board.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Bell (by request), Senate file No. 407, a bill for an act to provide for bonds for members of county boards of supervisors and township trustees.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Bell (by request), Senate file No. 408, a bill for an act relative to wires and electrical apparatus and appliances in the State of Iowa for the prevention of fires and the loss of life and property.

Read first and second time and referred to Committee on Insurance.

By Senator Lothrop, Senate file No. 409, a bill for an act to amend section 2 of chapter 15 of the laws of the Twenty-fifth General Assembly, relative to the appointment of police matrons.

Read first and second time and referred to Committee on Cities and Towns.

Senator Upton offered the following resolution:

Resolved, That on and after this date the Senate shall hold an afternoon session, commencing at 2 P. M. and ending at 5 o'clock P. M., on Monday, Wednesday and Friday of each week, in addition to the regular daily sessions now held, until otherwise ordered.

Laid over under the rules.

HOUSE MESSAGES.

House file No. 251, a bill for an act creating the Twentieth judicial district of the State of Iowa, and providing for the appointment of one judge and the election of two judges therein, and also providing for an election of four judges in the Second, and three judges in the Sixth judicial districts, defining the jurisdiction of said courts therein, and for holding

terms of court in said districts, was read first and second time and referred to Committee on Congressional and Judicial Districts.

House file No. 396, a bill for an act to repeal section 1740 of the Code of Iowa, and to enact a substitute therefor, relative to the duties of the president of school boards, was read first and second time and referred to Committee on Schools.

Senator Sargent asked excuse for Senator Harriman until to-morrow.

Senator Cheshire asked excuse for Senator Carpenter until to-morrow and for Senator Blanchard for one week.

Senator Hurst asked that Senator Hipwell be excused until to-morrow.

Senator Craig asked that Senator Penrose be excused until to-morrow.

Senator Young was excused until to-morrow.

REPORTS OF STANDING COMMITTEES

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 60, a bill for an act to revise, amend and codify the laws in relation to the State University, the Agricultural College and the Normal School, beg leave to report that they have had the same under consideration, the same having been referred to said committee, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as stated in the report heretofore made and set forth in the Journal of February 28, pages 10 and 11, except as follows: The amendment in section 30 of chapter 4, line 2, substituting the words "fifteen thousand" in lieu of "eighteen thousand five hundred" is omitted, no change being made therein. We further recommend that the title remain as stated in said bill.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 333, a bill for an act to legalize the incorporation of the town of Pleasantville, Marion county, Iowa, the election of the officers, and all official acts done and ordinances passed by the council of said town not in contravention with the laws of the State of Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 47, a bill for an act to repeal section 2580 of the Code, and enact a substitute therefor, relating to the venue and change thereof in actions aided by attachment.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 39, a bill for an act repealing section 3959 of the Code of Iowa, and enacting a substitute therefor, relative to breaking jail.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 188, a bill for an act to levy a tax to provide for the erection of necessary buildings for the State University of Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 232, a bill for an act to amend section 2, chapter 99 of the acts of the Twenty-fifth General Assembly, relating to powers of cities of the first class.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 224, a bill for an act to legalize the incorporation of the town of Mitchell, Mitchell county, Iowa, and the ordinances and acts of the municipal officers thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No.

274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 237, a bill for an act providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this state, and providing penalties for the violation thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 267, a bill for an act to legalize the action of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery company, of Manchester, Delaware county, Iowa, and the acts of its officers, in relation to continuation after expiration of limitation, and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer, instead of the sexton, as provided in the articles of incorporation.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No.

270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the ordinances passed by said incorporated town.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 236, a bill for an act to prohibit the sale and use of impure oil in coal mines and providing penalties for the violation thereof.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 253, a bill for an act to legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 9, a bill for an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 347, a bill for an act to legalize the ordinance of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates as

the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinance.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 181, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, relating to the appointment of city marshals.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 345, a bill for an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of the town council.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

BILLS ON SECOND READING.

On motion of Senator Rowen, Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances, with report of committee recommending certain amendments, and that when so amended same do pass, was taken up, considered, and the report of the committee adopted.

Senator Rowen moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Bonson, Byers, Carroll, Cheshire, Druet, Eaton, Ellis, Ellison, Everall, Funk, Gilbertson, Gorrell, Harper, Healy, Henderson, Hospers, Hotchkiss, Junkin, Kil-

burn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman—33.

The nays were:

None.

Absent or not voting:

Senators Allyn, Berry, Blanchard, Carney, Carpenter, Craig, Downey, Ericson, Garst, Harriman, Hipwell, Hobart, Hurst, Lehfeldt, Penrose, Pusey, Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Ellis, Senate file No. 272, a bill for an act to amend section 3721 of the Code of 1873, in respect to taking depositions, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellis moved that the rule be suspended and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Messrs. Alexander, Berry, Bonson, Byers, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healey, Henderson, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman—37.

The nays were:

None:

Absent or not voting:

Messrs. Allyn, Bell, Blanchard, Carney, Carpenter, Ericson, Harriman, Hipwell, Hobart, Lehfeldt, Penrose, Pusey, Young—13.

So the bill passed and the title was agreed to.

The Journal of Saturday was taken up, read, corrected and approved.

House returned House file No. 200 for correction by request of the Senate.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, March 17, 1896.

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. B. Cash, of Clarion, Iowa.

PETITIONS AND MEMORIALS.

Senator Alexander presented petition of Marion district township, favoring an amendment to section No. 1193, and asked that it be read.

Referred to Committee on Schools.

Senator Ericson presented remonstrance of H. H. Vittum and others against an extra session.

Referred to Committee on Ways and Means.

Senator Hurst presented petition of J. H. Sprague and others, relative to the adoption of the Code and other subjects, and asked that it be read.

Referred to Committee on Ways and Means.

Senator Carney presented petition of Thomas Kimball and others on same subject.

Referred to Committee on Ways and Means.

Senator Carpenter presented petition of Barton Garrett and others on same subject and asked that it be read.

Referred to Committee on Ways and Means.

Senator Ranck presented petition of James Conroy and others, relative to Iowa expenses at World's Fair and New Orleans and asked that it be read.

Referred to Committee on Claims.

Senator Gilbertson presented petition of H. C. Blackman and others on same subject.

Referred to Committee on Claims.

Senator Gilbertson presented several petitions of L. J. Cherney and others in favor of normal schools.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Thomas Healy and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of T. W. O'Brien and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Patrick Mulguin and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of E. R. Brainard and others on same subject.

Referred to Committee on Schools.

Senator Penrose presented petition of L. A. Van Horn and others, relating to extra session, and asked that it be read.

Referred to Committee on Ways and Means.

Senator Bell presented petition of Jacob Funk and others on the same subject.

Referred to Committee on Ways and Means.

President Parrott presented petition of George F. Potts and others on the same subject.

Referred to Committee on Ways and Means.

Senator Bell presented memorial of Farmers' Club of Jefferson county in regard to railways.

Referred to Committee on Railways.

Senator Healy offered the following resolution, and asked that it be laid over:

It appearing to the Senate that there exists, somewhere in the state, a bureau which is sending out memorials and petitions to different parts of the state, asking parties to procure signatures thereto, and mail the same to members of this body, without any letter accompanying the same, and it also appearing that said memorials and petitions seek to influence this body as to time of adjournment, and as to the further consideration of the report of the Code Commissioners; be it

Resolved by the Senate, That the President appoint a committee of three from this body to investigate and report what interests and influence have instigated the memorials and petitions, seeking to control the time of adjournment of this session, and that such committee be granted power to summon witnesses and procure evidence and shall make report within five days from the appointment thereof.

Senator Waterman called up House file No. 200, and moved that the vote by which it was passed be reconsidered.

Carried.

Senator Waterman moved that the vote by which it was passed to a third reading be reconsidered.

Carried.

Senator Waterman offered the following amendment to the bill:

Amend by striking out in line 2, section 2, the words "of each year," and insert in lieu thereof the figures "1896."

Adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Lothrop, Mitchell, Palmer, Penrose, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—39.

The nays were:

Senators Bonson, Everall, Perrin and Trewin—4.

Absent or not voting:

Senators Allyn, Blanchard, Ellison, Hobart, Junkin, Kilburn, Lehfelddt—7.

So the bill passed and the title was agreed to.

Senator Craig moved that the special order be postponed five minutes.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 301, a bill for an act to enable cities under special charter to issue bonds for the paving of street and alley intersections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 340, a bill for an act to amend section 1, chapter 16, of the acts of the Twenty-second General Assembly, relating to powers of cities and towns of the first and second class having over 7,000 population,

beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 387, a bill for an act to amend section two (2) of chapter seventeen (17) of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 339, a bill for an act to amend section 1324 of the Code of Iowa, as amended by chapter 104 of the acts of the Nineteenth General Assembly, relating to telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the substance thereof is contained in the proposed Code.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 278, a bill for an act to legalize the issuing of certain warrants on the general fund, and certain funding and refunding bonds by the city of Ottumwa, Iowa.

Senate file No. 113, a bill for an act to amend sections 2 and 4 of chapter 41 of the acts of the Twenty-fifth General Assembly, in relation to public libraries.

Senate file No. 111, a bill for an act to authorize the state or county or other municipal corporations to receive, hold, and manage gifts, devises and bequests made thereto, absolutely or in trust, for specific purposes.

Senate file No. 274, a bill for an act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers.

Senate file No. 237, a bill for an act providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this state, and providing penalties for the violation thereof.

Senate file No. 267, a bill for an act to legalize the action of the board of supervisors of Van Buren county, Iowa, relating to the levy for county revenue for 1895.

Senate file No. 238, a bill for an act to legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa.

Senate file No. 9, a bill for an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly.

Senate file No. 347, a bill for an act to legalize the ordinance of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinance.

Senate file No. 181, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, relating to the appointment of city marshals.

Senate file No. 302, a bill for an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa.

Senate file No. 345, a bill for an an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances and all acts of the town council.

Senate file No. 270, a bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the ordinances passed by said incorporated town.

Senate file No. 236, a bill for an act to prohibit the sale and use of impure oil in coal mines, and providing penalties for violations thereof.

Senate file No. 253, a bill for an act to legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa.

Senate file No. 32, a bill for an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

G. S. GILBERTSON,

Chairman.

The hour for the special order having arrived, Senate concurrent resolution, relative to placing medallions on the Soldiers' and Sailors' Monument, was taken up, and the majority and minority reports of the committee read.

Senator Craig moved that the majority report of the committee be adopted.

The hour for special order No. 2, being a substitute for Senate file No. 29, having arrived, Senator Byers moved that it be postponed until to-morrow at 10:30 A. M.

Carried.

The consideration of special order No. 1 was resumed, Senator Lothrop having the floor.

Senator Craig moved the previous question.

The motion, "Shall the main question be put?" was lost.

Senator Waterman offered the following resolution as a substitute for the majority and minority reports:

A SUBSTITUTE

For majority and minority reports, Waterman resolution concerning
Medallions on Soldiers' Monument.

WHEREAS, The people of Iowa have erected a monument to express their appreciation of the courage, patriotism and sacrificing devotion of the men who braved all dangers, and in so many instances met death in order that national supremacy might be maintained and free institutions preserved; and

WHEREAS, Objections having been made to the manner in which the commissions, who had the erection of the monument in charge, have executed their trust; and

WHEREAS, The completion of the monument requires additional directions; therefore,

Be it Resolved by the General Assembly of the State of Iowa:

First.—That the commission be directed not to place upon the monument any medallion portrait of any person, living or dead, as such special recognition exalts one soldier above another of equal or more deserving record.

Second.—That the commission be directed to have inscribed upon the monument the name of each regiment and organization, the number of battles in which it was engaged and the number who were killed and died from wounds.

Senator Henderson moved that when the Senate adjourn it adjourn to meet at 2:30 P. M. to-day.

Lost.

Senator Craig moved that the time of adjournment be extended to 12:30.

Lost.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, March 18, 1896. }

Senate met in regular session at 9 o'clock A. M. President Parrott presiding.

Prayer was offered by the Rev. A. D. Beckhart of Anita.

PETITIONS AND MEMORIALS.

Senator Perrin presented remonstrance of the district township of Chickasaw county against any change in the school laws

Referred to Committee on Schools.

Senator Waterman presented petition of A. H. Hamilton and others, relating to the relief of the World's Fair and New Orleans exhibitors.

Referred to Committee on Claims.

Senator Funk presented petition of Thomas Claas and others, relating to Gabrielson's petition.

Referred to Committee on Ways and Means.

Senator Palmer presented petition of John Knupp and others in favor of additional normal schools.

Referred to Committee on Educational Institutions.

Senator Everall presented petition of W. Sullivan and others relating to adoption of Code.

Referred to Committee on Ways and Means.

Senator Hotchkiss presented petition of Barnett Wilson and others on same subject.

Referred to Committee on Ways and Means.

Senator Kilburn presented petition of Julia Clark Hallam and others relating to equal suffrage, and asked that it be read.

Referred to Committee on Constitutional Amendments.

Senator Harper presented petition of P. A. Andre and other citizens of Burlington favoring passage of law governing itinerant merchants and asked that it be withdrawn to present in lower House.

Senator Harriman presented petition of G. A. Stalford and others, relating to adoption of Code.

Referred to Committee on Ways and Means.

Senator Trewin presented remonstrance of Patrick McLaughlin and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of T. C. Gorett and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of James Barrett and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Thos. Whelan and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Henry Vonderhe and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Joe Bullman and others against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of David O'Brien and others against the passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of John J. Mellick and others against the passage of Senate file No. 160.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Carney, Senate file No. 410, a bill for an act to legalize the incorporation of the independent school district of Melborn, Marshall county, Iowa, and the acts of the board organizing the same.

Read first and second time and referred to Committee on Judiciary.

By Senator Henderson (by request), Senate file No. 411, a bill for an act for the better protection of game.

Read first and second time and referred to Committee on Agriculture.

By Senator Alexander, Senate file No. 412, a bill for an act to provide for selecting and drawing jurors in the superior courts.

Read first and second time and referred to Committee on Judiciary.

By Senator Sargent, Senate file No. 413, a bill for an act to repeal sections 1 and 2, chapter 20, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of sub-directors from three years to one year.

Read first and second time and referred to Committee on Schools.

By Senator Garst, Senate file No. 414, a bill for an act to authorize the purchase of certain real property on which to erect a memorial hall and art building, and for the use of the state, and making an appropriation therefor.

Read first and second time and referred to Committee on Appropriations.

REPORT OF STANDING COMMITTEES.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 259, a bill for an act to repeal sections 1 and 5 of chapter 157 of the laws of the Twenty-first General Assembly of the State of Iowa, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

C. A. CARPENTER,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 388, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

Strike out all the line numbers, words and figures at ends of sections and all underscorings.

Page 833, strike out the word and figure "section 4" and combine sections 3 and 4 as section 3.

Page 833, strike out all of section 5 and insert the following as sections 4 and 5:

SEC. 4. Actions to recover personal property and suits commenced by attachment may be commenced in any county and township wherein any portion of the property is found, and justices shall have jurisdiction therein within the county.

SEC. 5. If none of the defendants reside in the state suit may be commenced in any county and township wherein either of the defendants may be found.

Page 834, section 9, line 2, strike out the words "in the following order" and insert in lieu thereof the words "as follows."

Page 835, section 17, line 1, insert after the word "notice" and before the word "for" the words "or process."

Page 835, section 18, line 1, insert after the word "by" and before the word "attorney" the words "agent or;" also, same line, strike out the word "attorney" after the word "by" and before the word "he," and insert in lieu thereof the word "agent."

Page 835, section 28, line 1, strike out the words "and the fees therefor are paid."

Page 836, section 29, lines 1 and 2, strike out the words "is not a justice" and "though a justice."

Page 836, section 30, line 2, insert after the word "shall" and before the word "certify" the words "without further proceedings."

Page 836, section 33, line 1, insert after the word "himself" and before the word "or" the word "agent."

Page 836, section 34, line 2, strike out the words "calling for" and insert in lieu thereof the word "specifying."

Page 837, strike out sections 42 and 43 and insert in lieu thereof the following:

SEC. 42. If a jury trial be demanded, the justice shall issue his precept to some constable of the township, directing him to summon the requisite number of jurors possessing the same qualifications as are required in the district court.

SEC. 43. The jury shall consist of six jurors, unless a smaller number be agreed upon between the parties. Each party is entitled to three peremptory challenges and no more. Any deficiency arising in their number, arising from any cause, may be supplied by summoning others in the manner above directed.

Page 838, strike out all of section 51 and insert the following in lieu thereof:

SEC. 51. When rendered by the same court, the same course shall be pursued as is prescribed in the district court.

Page 839, section 69, line 1, change the first word to garnishment.

Page 840, section 78, line 1, strike out the word "taken" and insert in lieu thereof the word "perfected."

Page 840, section 80, line 1, strike out the words "the taking of" and insert after the word "appeal" and before the word "the" the words "being perfected."

Page 841, section 84, line 9, strike out the word "provision" and insert in lieu thereof the word "provisions."

Page 841, section 87, line 2, strike out the word "it" and insert in lieu thereof the words "the action."

Page 841, strike out section 90 and insert in lieu thereof the following:

SEC. 90. If the judgment below is against the appellant he may proffer to pay a certain amount, with costs, and if the final amount be less favorable to the appellee than such proffer, he shall pay costs of appeal.

Page 842, section 104, lines 4 and 5, strike out the words "but no allowance of the amount in value of property that may be levied upon under the writ is necessary."

Page 842, section 105, line 1, add after the word "attachment" at the end of the line the words "or on execution."

Page 844, section 118, lines 1, 2 and 3, strike out the words "the party demanding a jury must pay in advance the jury fees for one day's service, if so required by the juror, or by the opposite party."

Page 845, section 121, line 14, change the word "or" to "of."

Page 845, section 123, line 5, add at end of line the words "the distance to be computed by the nearest traveled route."

Your committee recommends that when the amendments above recommended are adopted, the bill do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Carpenter asked that 100 copies be printed.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 400, a bill for an act to amend section 2 of chapter 3 of the acts of the Fifteenth General Assembly, relating to the pay of chaplains of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Waterman moved that House file No. 400 be taken up for consideration.

Carried.

Senator Eaton, from the Committee on Building and Loan Associations, submitted the following report:

MR. PRESIDENT—Your Committee on Building and Loan Associations, to whom was referred House file No. 378, a bill for an act providing a substitute for chapter 6, title 9, of the Code of 1873, for establishing and governing mutual building and loan associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill by your Committee on Building and Loan Associations presented herewith be substituted for said bill.

WILLIAM EATON,
Chairman.

Ordered passed on file.

Three hundred copies of substitute ordered printed.

Senator Eaton moved that the substitute building and loan bill be made a special order for Friday, March 20th, at 10:30 A. M.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 295, a bill for an act to legalize the incorporation of the Manchester Cemetery Company, of Manchester, Delaware county, Iowa, and the acts of its officers in relation to continuation after limitation, and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer, instead of the sexton, as provided in the articles of incorporation.

G. S. GILBERTSON,
Chairman.

On motion of Senator Waterman, House file No. 400, a bill for an act to amend section 2 of chapter 3 of the acts of the Fifteenth General Assembly, relating to the pay of Chaplains of the General Assemblies, with report of Committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Waterman—34.

The nays were:

Senators Berry, Bonson, Carpenter, Lothrop, Pusey—5.

Absent or not voting:

Senators Allyn, Blanchard, Ellis, Ellison, Healy, Hipwell, Hurst, Lehfeldt, Trewin, Upton, Young—11.

So the bill passed and the title agreed to.

Senator Upton called up for consideration the resolution relating to afternoon sessions and moved its adoption.

On this the yeas and nays were demanded and the resolution was adopted.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Alexander, Bonson, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Garst, Harri-
man, Healy, Hospers, Hotchkiss, Junkin, Mitchell, Rigger,
Rowen, Sargent, Trewin, Upton, Waterman—24.

The nays were:

Senators Berry, Byers, Funk, Gilbertson, Gorrell, Harper,
Henderson, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey,
Ranck, Young—15.

Absent or not voting:

Senators Allyn, Bell, Blanchard, Carpenter, Ellis, Ellison,
Hipwell, Hobart, Hurst, Kilburn, Lehfeldt—11.

Senator Carney filed the following motion:

I move to reconsider the vote on the resolution in regard to afternoon
sessions.

Laid over.

The Journals of Monday and Tuesday were read, corrected
and approved.

On motion of Senator Downey, House file No. 349, a bill for
an act to amend section 4, chapter 143 of the acts of the Six-
teenth General Assembly, relating to the appointment of
judges of superior courts, with report of committee recom-
mending that it do pass, was taken up, considered, and the
report of the committee adopted.

Senator Downey moved that the rule be suspended, and that
the bill be considered engrossed and read a third time now,
which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bonson, Byers, Carney, Carpenter,
Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Ever-
all, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson,
Hobart, Hospers, Hotchkiss, Junkin, Lothrop, Palmer, Pen-
rose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent,
Trewin, Upton, Waterman—36.

Senator Healy voted in the negative.

Absent or not voting:

Senators Allyn, Bell, Berry, Blanchard, Eaton, Ellison, Har-
rigan, Hipwell, Hurst, Kilburn, Lehfeldt, Mitchell, Young—13.

So the bill passed and its title agreed to.

Senator Carpenter moved that House file No. 122 be recalled
for further consideration.

Carried.

Senator Carney moved the substitute for Senate file No. 9 be continued as special order to be taken up after the special order of concurrent resolution, relative to medallions on soldiers' and sailors' monument, now under consideration, is disposed of.

Carried.

The Senate resumed consideration of the special order, Senator Byers having the floor.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporated town of Williamsburg, in Iowa county, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, from March 17, 1882, to February 26, 1896.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 65, a bill for an act to prevent combination between fire insurance companies, and providing penalties therefor.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 376, a bill for an act for the better protection of members and beneficiaries of beneficiary organizations.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 423, a bill for an act to legalize the organization of the independent school district of Stockport, Van Buren county, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 108, a bill for an act to amend chapter 85 of the laws of the Twenty-second General Assembly, in regard to rights of aliens.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 77, a bill for an act to create and regulate public warehouses and the warehousing, shipping, weighing and inspection of grain.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has returned the following bill, the return of which the Senate asked:

House file No. 122, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly of Iowa.

JAMES D. ROWEN,
Chief Clerk.

Senator Phelps offered the following:

I move that Senate file No. 7, erroneously messaged to the House, be recalled.

Carried.

Senator Hotchkiss moved that the time of adjournment be extended 15 minutes.

Lost.

The Senate adjourned until 2 P. M. to-day.

AFTERNOON SESSION.

Senate met, pursuant to adjournment, at 2 o'clock, President Parrott presiding.

Discussion was resumed on the question of Senator Waterman's substitute for the majority and minority reports on the

concurrent resolution relating to soldiers' monument, Senator Mitchell having the floor.

Senator Carney offered the following amendment to the substitute:

I move to amend the substitute by striking from the second subdivision the words "the number of battles in which it was engaged and the number who were killed and died from wounds," and substitute "and the date of its muster and discharge."

Senator Craig moved the previous question.

On the motion, "Shall the main question be put?" the motion prevailed.

On the amendment offered by Senator Carney the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carney, Carroll, Cheshire, Druet, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—36.

The nays were:

Senators Alexander, Craig, Downey, Gorrell, Healy, Henderson, Mitchell—7.

Absent or not voting:

Senators Blanchard, Byers, Carpenter, Eaton, Ellison, Hobart, Lehfeldt—7.

The amendment was adopted.

On the substitute as amended the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Carney, Carpenter, Druet, Eaton, Ellis, Gilbertson, Gorrell, Harriman, Hobart, Hospers, Hurst, Lothrop, Palmer, Penrose, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—27.

The nays were:

Senators Berry, Byers, Carroll, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Harper, Healy, Henderson, Hipwell, Hotchkiss, Junkin, Kilburn, Mitchell, Perrin, Phelps,—20.

Absent or not voting:

Senators Blanchard, Ellison, Lehfeldt—3.

So the substitute was adopted.

The report of the committee as substituted was adopted.

Senator Lathrop offered the following concurrent resolution and asked that it be laid over:

CONCURRENT RESOLUTION.

WHEREAS, The soldiers' and sailors' monument, now being erected and approaching completion under the provisions of the act passed by the Twenty-fourth General Assembly is unsatisfactory in many of its proposed features, and is unfavorably received by the people of the state as the expression of their sentiments towards those of their fellow citizens who so grandly sustained and brought additional honor to the name of Iowa in the war of the rebellion; and,

WHEREAS, The completion of the monument along the lines of the present plans will result in dissatisfaction, complaint and constant mortification to the old soldiers, their friends and to the state generally for all time, concluding in the probable removal of the monument at no distant date; and,

WHEREAS, The present general assembly is without plans for a change that will be likely to remove existing difficulties and settle a controversy. the cause for which all citizens of our state most deeply deplore;

WHEREAS, It is believed that such a change in the plan of the monument may be devised that the same may be completed in a way that it shall be at once a credit to the state, give satisfaction to all interested therein, and efficiently carry out the purpose of the state to suitably honor its brave and patriotic citizens, without wrong to or reflection upon any. and in making such change cause no heartburning or grief to any whom the state delights to honor; therefore, be it

Resolved, by the Senate, the House of Representatives concurring herein. That there be appointed a joint committee of five from the Senate and ten from the House, to which the matters of the monument, and the changes necessary to be made in the completion thereof, or in connection therewith, shall be referred and the said committee be instructed to report by bill or otherwise.

Resolved, That said committee be instructed to consider and report as to the removal of the figure, designated as "victory," from the top of the monument, and its replacement by some other design; also, that it consider the feasibility of placing the equestrian figures designed for places on the monument, upon pedestals in conspicuous places on the capitol grounds, as individual monuments to the great names of the respective persons represented by such figures; also, to consider and report as to enlargement and improvement of the grounds upon which the monument stands, and all other matters essential to remove objections to the monument and to secure or it the approval of the state when completed.

Senator Trewin moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, March 19, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. M. E. Barakat, of Menlo, Iowa.

PETITIONS AND MEMORIALS.

Senator Healy presented petition of George E. Roberts, relating to appropriation for those who furnished funds for World's Fair at New Orleans.

Referred to Committee on Claims.

INTRODUCTION OF BILLS.

By Senator Healy, Senate file No. 415, a bill for an act to legalize the ordinances of the town of Clare, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Mitchell, Senate file No. 416, a bill for an act to legalize conveyance of real property made by executors or trustees under foreign wills.

Read first and second time and referred to Committee on Judiciary.

HOUSE MESSAGES.

House file No. 376, a bill for an act for the better protection of members and beneficiaries of beneficiary organizations, was read first and second time and referred to Committee on Insurance.

House file No. 108, a bill for an act to amend chapter 85 of the laws of the Twenty-second General Assembly, in regard to rights of aliens, was read first and second time and referred to Committee on Judiciary.

Senate file No. 65, a bill for an act to prevent combination between fire insurance companies, and providing penalties therefor, was passed on file.

House file No. 77, a bill for an act to create and regulate public warehouses and the warehousing, shipping, weighing and inspection of grain, was read first and second time and referred to Committee on Agriculture.

House file No. 423, a bill for an act to legalize the organization of the independent school district of Stockport, Van Buren county, Iowa, was read first and second time and referred to Committee on Judiciary.

Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896, was passed on file.

Amended Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporated town of Williamsburg, in Iowa county, Iowa, was passed on file.

House file No. 122, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly of Iowa, was passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 311, a bill for an act for the protection of game, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate that the same is found properly engrossed.

H. L. BYERS,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 92, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the first line of the first section, just after the word "Governor" the following: "by and with the consent of the Senate." and that it also be amended by striking out the numbers of the lines and the underscoring, and that when so amended it do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 237, a bill for an act to punish the keeping and maintaining of resorts for the sale and use of opium and its preparations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 84, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following "bill for an act to repeal chapter 151 of the acts of the Eighteenth General Assembly, and chapter 59, acts of the Twenty-fourth General Assembly, and enact a substitute therefor relating to state and local boards of health and vital statistics," be substituted for the first twelve sections of the bill referred to this committee, and that when so substituted it be amended by striking out the words "fifteen hundred" in the second line of the eleventh section and inserting in lieu thereof the words "thirteen hundred and fifty," and that when so substituted and amended the bill do pass; also, that the following "bill for an act to repeal chapter 104, acts of the Twenty-first General Assembly, and chapter 66, acts of the Twenty-second General Assembly, and provide a substitute therefor regulating the practice of medicine" be substituted for chapter 17 of the bill that was before the committee, and that when so substituted it be amended by striking out the words "for the use of said board" in the eleventh line of the seventh section, and that when so substituted and amended the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 88, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out the words "twenty-five" in the fifteenth line of section one and insert in lieu thereof the word "ten;" also by inserting in the seventeenth line just after the word "office" the following: "Any one who desires to continue the practice of dentistry shall, on or before May 15th of each year, pay to the board of examiners the sum of one dollar for which he shall receive a renewal of

his certificate unless his name has been stricken from the register for violation of law. Any person who shall fail or neglect to procure his annual renewal of registration shall, for each such offense, be liable to a fine of ten dollars for each calendar month during which he is so delinquent." Also by striking out the marginal numbers and the underscoring, and that when so amended it do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Ericson from the Committee on Claims submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 246, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Strike out five thousand, in the third line of section one, and insert in lieu thereof, twenty-five hundred, and when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 389, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments be adopted:

Strike out all line numbers, words and figures at end of sections and all underscorings.

Page 866, section 2, lines 5 and 6, strike out the words "but the court may empanel a jury for that purpose."

Page 873, section 18, line 5, strike out the words "nor less than twenty-five years."

Page 873, section 19, line 4, strike out the words "in the first degree."

Page 874, section 21, line 6, strike out the words "nor less than ten." Same page strike out all of section 22.

Page 875, section 8, line 3, add at the end of the line the words "telephone or."

Page 876, strike out all of section 17; also, same page, section 18, line 4, strike out the words "penitentiary not exceeding five years" and insert in lieu thereof the words "county jail not exceeding six months;" and so, same page, strike out all of section 19 and insert the following:

SEC. 19. If any person wilfully enters any building or enclosure where any public entertainment or exhibition is being held at which an admission fee is charged, and without paying such fee or without leave to

so enter, he shall be fined not exceeding one hundred dollars or imprisoned in the county jail not more than thirty days.

Page 877, section 21, line 1, strike out the word "or" after the word "knowingly" and before the word "wilfully," and insert in lieu thereof the word "and;" also, same section, line 2, strike out the words "one mile" and insert in lieu thereof the words "three miles."

Page 880, section 9, strike out lines 10, 11 and 12.

Page 882, section 19, line 2, strike out the words "remove from the county."

Page 900, section 34, line 1, strike out the words "records or registers bets or wagers, or;" also, same section, line 7, strike out the words "one thousand" and insert in lieu thereof the words "five hundred;" also, same section, line 8, strike out the words "one year" and insert in lieu thereof the words "six months."

Your committee recommends that when the amendments recommended are adopted the bill do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred House file No. 3, a bill for an act to revise, amend and codify the statutes in relation to the executive department, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendments be adopted:

Page 18, section 7, line 1, strike out the word "state" after the word "the" and before the word "land."

Page 19, section 10, line 1, strike out the word "state" after the word "the" and before the word "land."

Page 19, line 6, section 12, strike out the word "state" after the word "the" and before the word "land."

Page 21, section 20, line 2, strike out the word "three" after the word "states" and before the word "dollars" and insert in lieu thereof the word "ten;" also, same line, strike out the words "one dollar and fifty cents" after the word "public" and before the word "for" and insert in lieu thereof the words "five dollars."

Page 21, section 22, lines 1 and 2, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond," and insert in lieu thereof the words "for whose acts he shall be responsible."

Page 24, section 11, line 2, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond," and insert in lieu thereof the words "for whose acts he shall be responsible."

Page 24, section 12, add after the word "insurance" the words "banking and building and loan associations."

Page 26, section 16, line 2, strike out the words "which appointment must be approved by the officer having the approval of the principal's bond" and insert in lieu thereof the words "for whose acts he shall be responsible."

Page 33, section 24, line 1, strike out the word "Iowa" before the word "official."

Page 34, section 26, line 25, strike out the word "Iowa" before the word "official."

Page 35, section 1, line 6, strike out the word "thereto" after the word "sureties" and before the word "to."

Page 36, section 5, line 8, insert after the word "capitol" and before the word "at" the words "including all offices and rooms."

Page 36, section 7, line 2, insert after the word "same" and before the word "but" the words "excepting janitor service."

Page 36, section 8, line 2, insert after the word "chapter" and before the word "itemizing" the words "including janitor service and expenses for care of offices and rooms."

Page 37, add as section 11, chapter 6, the following:

SEC. 11. No person shall be employed as janitor in and about the Capitol except by the Custodian, with the consent of the Governor, except as herein otherwise specially provided.

Page 39, section 3, line 10, strike out the word "cover" after the word "Governor" and before the word "the" and insert in lieu thereof the words "make a detailed statement of."

Page 40, section 10, line 4, add after the word "imprisonment" the words "and shall be liable on his bond for any loss to the state with fifty per cent damages."

Your committee recommend that when the amendments above are adopted the bill do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Two hundred copies of the amendments by Senator Carpenter were ordered printed.

Senator Druet, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 230, a bill for an act to make an appropriation to the department of Iowa manufactures of the Iowa State Agricultural society, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Appropriations.

S. DRUET,
Chairman.

So referred.

Senator Rowen moved to recall report of Committee on Penitentiaries and Pardons in relation to pardon of Geo. L. Trout.

Carried.

BILLS ON SECOND READING.

The hour for the special order having arrived, substitute for Senate file No. 29, a bill for an act to authorize and to regulate primary elections of voluntary political parties or associations,

and to punish frauds therein, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, and the substitute read section by section.

Senator Trewin offered the following amendment to section 1:

Strike out the words "committee or body authorized by the rules or customs of such" and insert the words "convention of any" in line 4; also strike out the words "committee or" in line 6.

On this a division was called for and the amendment was lost.

Senator Hospers offered to amend section 1 by striking out the word "shall" in the third line and insert the word "may."

Adopted.

Senator Carpenter moved to amend section 1 by striking out all after the word "act" in the fourth line.

Lost.

Senator Healy moved to reconsider the vote by which the amendment to section 1, by striking out the word "shall" and inserting the word "may" in lieu thereof, was adopted.

Carried.

On the reconsideration the amendment was lost.

Senator Lothrop offered to amend section 1 by striking out the words "or managing committee or" occurring in lines two and three thereof.

Lost.

Senator Phelps offered to amend section 1 by inserting after the word "party" in the second line of the printed bill the words "in any county, township, city or incorporated town in this state."

Adopted.

Senator Bonson offered the following motion:

I move to refer the bill to the Judiciary Committee to report upon the constitutional question involved therein, and that the bill retain its place on the Calendar.

On this a division was called for and the motion was lost.

Senator Phelps offered to amend section 1 by inserting after the word "committee" in the fourth line of the printed bill the words "of any county, township or incorporated town."

Senator Trewin moved to amend the amendment by inserting after the word "body" the words "of any county, city, town or township," in line 4.

Adopted.

The amendment, as amended, was adopted.

Senator Penrose moved to amend section 3 by inserting after the word "circulation" the following words: "Or by posting notices in three public places," in second line.

Adopted.

Senator Berry moved to amend section 4 by striking out the words "at least one" and insert the word "three;" also add "s" to the word "judge."

Adopted.

Senator Berry moved to amend section 4 by striking out the word "one" before the word clerk and insert the word "two;" also add "s" to the word "clerk."

Adopted.

Senator Berry moved to amend section 2 by inserting the words "and clerks" after the word "judges" in the second line.

Adopted.

Senator Harriman offered the following amendment to section 7:

Strike out after the word "if" in line 8, the following words: "such questions are answered in such manner as to show," and insert after the word "if" in line 8, the words "it shall appear," also strike out after the word "elections" in the ninth line the following words: "and it appears that he is thus qualified."

Adopted.

President Parrott retired, Senator Funk, president *pro tem*, presiding.

Senator Penrose moved to amend section 8, by striking out of line 4 the words "less than two nor."

Adopted.

Senator Phelps moved to amend section 8, by inserting after the word "election" in the second line of the printed bill the words "or shall violate any of the provisions of this act."

Adopted.

Senator Healy offered the following amendment:

Amend section 8 by adding after the word "act" in line 2 the following: "Or whoever, by any artifice or fraud, or who, acting as a judge or clerk, corruptly or fraudulently prevent persons qualified from voting at such primary election."

Adopted.

Senator Young offered to amend section 5 by adding "any person who is a resident of the precinct and a minor, but who

will have attained his majority by the day of election, shall be a legal voter at such primary election."

Adopted.

Senator Ellis moved to amend section 3 by striking out the words "or by posting notices in three public places," and insert the following after the word "county" in the third line: "but if only a township or incorporated town election is to be held, such notice can be given by posting the same in five public places in such township or incorporated town."

Adopted.

Senator Carney moved that the time of adjournment be extended ten minutes.

Carried.

The report of the committee was adopted.

Senator Carney moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Upton, Waterman—35.

The nays were:

Senators Berry, Bonson, Carpenter, Garst, Hobart, Junkin, Trewin, Young—8.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellison, Lehfeldt, Mitchell, Ranck—7.

So the bill passed and the title was agreed to.

Senator Carpenter offered the following explanation of his vote and asked that it be printed in the Journal:

Believing that Senate file No. 29 to be unconstitutional in its present form, I vote "no."

C. A. CARPENTER.

Senator Junkin offered the following explanation of his vote and asked that it be printed in the Journal:

Believing that the legislative authority is vested in the General Assembly, and that this authority cannot be delegated to another tribunal, that a law which depends for its vitality upon its adoption, first, by the General Assembly, and, second, by a local or inferior tribunal, is in contravention of the provisions of the constitution, I vote "no."

J. M. JUNKIN.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 325, a bill for an act to amend chapter 62 of the acts of the Twenty-fifth General Assembly, entitled "an act to tax the traffic in intoxicating liquors," and to regulate and control the same.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the rights of property.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 479, a bill for an act to change and modify the portraiture and designs to be placed on the Iowa soldiers' and sailors' monument and directing the Soldiers' Monument Commission therein.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Joint Resolution No. 8, for the pardon of A. F. Hockett.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has returned the following bill, the return of which the Senate asked:

Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes.

JAMES D. ROWEN,
Chief Clerk.

Senator Phelps moved that the time of adjournment be extended fifteen minutes for the purpose of taking up House messages.

Lost.

Leave of absence was granted Senator Bell until Saturday.
Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, March 20, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. E. C. Beyer, Hazelton, Iowa.

PETITIONS AND MEMORIALS.

Senator Ellis presented petition of W. K. Mikel and others for additional normal schools.

Referred to Committee on Educational Institutions.

Senator Ellis presented petition of W. H. Rizer and others for additional normal schools.

Referred to Committee on Educational Institutions.

Senator Ellis presented petition of C. Loub and sons for additional normal schools.

Referred to Committee on Educational Institutions.

Senator Carney presented petition of Fred Hopkins and others relating to fraternal beneficiary associations.

Referred to Committee on Judiciary.

Senator Gilbertson presented petition of H. O. Wilson and others urging the adoption of the Code.

Referred to Committee on Ways and Means.

Senator Perrin presented petition of E. A. Tealing and others relating to inspection of boilers.

Referred to Committee on Manufactures.

Senator Perrin presented petition of L. P. Phillips and others on inspection of boilers.

Referred to Committee on Manufactures.

Senator Waterman presented remonstrance of J. H. Merrill and others against proposed changes in railway laws.

Referred to Committee on Railways.

Senator Harriman presented petition of J. B. Candiff and others for uniform taxation.

Referred to Committee on Ways and Means.

Senator Garst presented remonstrance of P. F. Cold and others against proposed law governing railroads.

Referred to Committee on Railways.

Senator Trewin presented remonstrance of G. Myners and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of L. O. Larson and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of H. Howes and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Andrew Loughton and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of Thomas Morony and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of O. Dahl and others on same subject.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of J. E. Larson and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of P. J. Quanondahl and others against Senate file No. 160.

Referred to Committee on Schools.

Senator Hospers presented remonstrance against extra session.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Junkin (by request), Senate file No. 417, a bill for an act to provide for compensation for volunteer fire companies.

Read first and second time and referred to Committee on Cities and Towns.

By Senator Rowen, Senate file No. 418, a bill for an act to legalize the incorporation of the town of Woolstock, Wright county, Iowa, the acts of the town council and ordinances passed by it since its incorporation.

Read first and second time and referred to Committee on Judiciary.

By Senator Hotchkiss (by request), Senate file No. 419, a bill for an act to provide for holding terms of the district court at Perry, in the county of Dallas, in the Fifth judicial district of the State of Iowa, and defining the jurisdiction of said court.

Read first and second time and referred to Committee on Judiciary.

HOUSE MESSAGES.

House file No. 325, a bill for an act to amend chapter 62 of the acts of the Twenty-fifth General Assembly, entitled "an act to tax the traffic in intoxicating liquors," and to regulate and control the same, was read first and second time and referred to Committee on Suppression of Intemperance.

House file No. 479, a bill for an act to change and modify the portraiture and designs to be placed on the Iowa soldiers' and sailors' monument and directing the Soldiers' Monument Commission therein, was read first and second time and referred to Committee on Military.

Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, was passed on file.

Joint resolution No. 8, for the pardon of A. F. Hockett, was read first and second time and referred to Committee on Penitentiaries and Pardons.

House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the rights of property, was read first and second time and referred to Committee on Code Revision.

Upon motion of Senator Trewin, leave of absence was granted to Senator Ellison.

Senator Ranck moved that the Senate concur in the House amendment to Senate file No. 337.

Carried.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Trewin, Upton, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Blanchard, Craig, Ellison, Hobart. Lehfelddt, Rigger, Rowen, Young—10.

So the amendment was concurred in.

REPORTS OF COMMITTEES.

Senator Hospers, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 323, a bill for an act to amend section sixteen of chapter sixty of the acts of the Fifteenth General Assembly, relating to savings banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the same is embodied in the code revision.

HENRY HOSPERS,

Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 423, a bill for an act to legalize the organization of the Independent School District of Lockport, Van Buren county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 415, a bill for an act to legalize the ordinances of the town of Clare, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed and election held to bond the city of Pella, Marion county, Iowa, to erect water works within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square" in said city, for that purpose, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 410, a bill for an act to legalize the incorporation of the Independent School District of Melbourne, Marshall county, Iowa, and the acts of the Township Board of Directors organizing the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 393, a bill for an act to repeal chapter seventy of the acts of the Twenty-fifth General Assembly and to provide for the selection and drawing of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Ellis moved that 300 copies of substitute for Senate file No. 393 be printed, and that it be made a special order for Wednesday, March 25th, at 10:30 A. M.

Carried.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 65, a bill for an act to prevent combinations between fire insurance companies and providing penalties therefor.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 418, a bill for an act to enable trustees or commissioners of State institutions to lay out, establish, vacate or change public highways through land owned by the State on which State institutions are situated, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that Senate file No. 362, which embodies the same matter as contained in this bill, is now on the Calendar.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 332, a bill for an act to amend section 985 of the Code, relative to the drainage of surface water from the highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: To strike out the words "enclosed or unenclosed" in the fourth line, section 1, printed bill, after the words "upon the;" also, to add after the word "water," in the fifth line, section 1, printed bill, the words "provided such obstruction shall not be removed below the natural level of the land so entered upon;" also, to strike out all of section 2, of printed bill, and when so amended the bill do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Hotchkiss, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 397, a bill for an act providing for the publication and distribution of the proceedings of the fifth reunion of the Pioneer Law Makers' Association of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. C. HOTCHKISS,
Chairman.

Ordered passed on file.

Senator Ellis moved that substitute for Senate files Nos. 8, 203, 324, be made a special order Thursday, March 26, at 10:30 A. M.
Carried.

The Journals of Wednesday and Thursday were taken up, read, corrected and approved.

Senator Funk moved that Senate file No. 145 be made a special order to follow the Building and Loan bill.

Carried.

Senator Carpenter moved to take up House file No. 122, which was recalled from the House.

Carried.

Senator Carpenter moved to reconsider the vote by which House file No. 122 was passed.

Carried.

Senator Carpenter moved that the vote by which the bill was ordered to a third reading be reconsidered.

On the question, "Shall the Senate reconsider the vote?" the yeas were:

Senators Alexander, Allyn, Berry, Bonson, Byers, Carpenter, Cheshire, Downey, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—37.

The nays were:

Senators Carney, Carroll, Craig, Kilburn, Pusey, Rikken—6.

Absent or not voting:

Senators Bell, Blanchard, Druet, Ellison, Hipwell, Lehfeldt, Young—7.

So the vote was reconsidered.

Senator Carpenter moved that the vote by which the amendment was made and proviso be stricken out be reconsidered.

Carried.

Senator Carney moved that the further consideration of the bill be postponed until to-morrow at 10:30 A. M.

Lost.

The question recurring on the amendment of Senator Carpenter, to insert the word "hereafter" and strike out the proviso in said report, the amendment was adopted.

Senator Waterman moved that the special order be postponed five minutes.

A division was called for and the motion prevailed.

BILLS ON SECOND READING.

The hour for special order having arrived, substitute for House file No. 378, a bill for an act providing a substitute for chapter 6, title 9, of the Code of 1873, for establishing and governing mutual building and loan associations. with report of

Committee recommending the substitute, and that the same do pass, was taken up, considered, and the report of the Committee adopted.

Senator Eaton moved that the bill be read section by section for the purpose of amendment.

Carried.

Senator Eaton moved to amend section 1 by inserting in third line, after the word "loan," the words "or savings and loan.

Adopted.

Senator Eaton moved to amend by inserting after the word "loan" in the title, the tenth line of section one, the first line of section 6, the first line of section 7, the first line of section 8, the words "or savings and loan."

Adopted.

Senator Junkin moved to amend second line of section 8 by striking out the word "or" and inserting the word "of" in lieu thereof.

Adopted.

Senator Junkin moved to amend line 8 of section 9 by striking out the word "guaranteed" and insert the word "guaranty" in lieu thereof.

Adopted.

Senator Junkin moved to amend by striking out in line 14, section 15, the word "and" after the word "oath" and insert a period after the word "oath" and commence the word "examination" with a capital.

Adopted.

Senator Cheshire moved to amend section 19, line 8, by striking out the comma after the word "require" and insert a period, and commence the word "upon" with a capital.

Adopted.

Senator Junkin moved to amend section 24 by striking out the word "of" in line 4, and inserting the word "if" in lieu thereof, and by striking out the word "amounting" in the fifth line and inserting the word "amounts" in lieu thereof.

Adopted.

Senator Cheshire moved to amend section 19, first line of subdivision 8, by inserting the words "such report" before the words "the council."

Adopted.

Senator Ericson moved to amend section 22, line 8 by inserting the words "or savings and loans."

Adopted.

Senator Eaton moved to insert in line 1, section 16, the words "building and loan or savings and loan" after the word "local."

Adopted.

Senator Eaton moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Bell, Blanchard, Bonson, Ellison, Hospers, Lehfeldt—6.

So the bill passed and the title agreed to.

Senator Ellis moved that special order Senate file No. 145 be continued until 2 o'clock P. M.

Carried.

Senate resumed consideration of House file No. 122, under consideration when the hour for special order arrived.

Senator Carpenter moved that the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Waterman—34.

The nays were:

Senators Berry, Bonson, Byers, Carney, Harriman, Lothrop, Ranck, Upton—8.

Absent or not voting:

Senators Bell, Blanchard, Ellison, Hipwell, Hospers, Kilburn, Lehfeldt, Young—8.

So the bill passed and the title agreed to.

Leave of absence was granted Senator Alexander until Tuesday P. M.

Senator Waterman moved that the Senate do now adjourn.
Carried.

The Senate adjourned to 2 P. M. to-day.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Parrott presiding.

BILLS ON SECOND READING.

The hour for special order having arrived, Senate file No. 145, a bill for an act to provide for the taxation of express companies, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up.

Senator Funk moved to amend section 2, line 3, by inserting after the word "receipts" the words "for business done within this state"; also in line 15 strike out the words "during the" and insert the words "for such"; also in line 28 strike out the word "or" and insert the word "and."

Adopted.

Report of the committee, as amended, was adopted.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Trewin, Upton, Waterman, Young—41.

Senator Druet voted in the negative.

Absent or not voting:

Senators Alexander, Allen, Bell, Blanchard, Ellison, Lehfeldt, Phelps, Sargent—8

So the bill passed.

Senator Funk offered the following substitute for the title: "A bill for an act to define express companies, to prescribe the mode of taxing the same, and to fix the rate of taxation thereon."

The amendment to the title was adopted and agreed to.

Senate file No. 68, a bill for an act relative to trimming osage orange, willow and all other hedge fences, and for keeping the roads clear of brush and noxious weeds, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Carpenter offered the following amendment:

Add after the word "years" in the fifth line of printed substitute, "and should burn or remove the brush so cut from the highways."

Adopted.

Senator Mitchell offered the following amendment:

SEC. 6. That chapter 88, acts of the Twenty-fifth General Assembly, is hereby repealed.

Lost.

Senator Trewin offered the following amendment:

In section 1, line 6, insert the word "cultivated" before the word "land"; also insert the word "noxious" before the word "weeds" in the seventh line.

A division was called and the amendment lost.

Senator Carroll offered the following amendment:

Insert after the word "done" in line 6 of section 2, "at a cost not exceeding twenty cents per rod for trimming each fence."

Lost.

Senator Garst offered the following amendment:

Strike out in third line of section 1 the words "or shall be maintained as an ornamental fence."

Lost.

Senator Bonson offered the following amendment:

I move to amend section 2, second line thereof, by inserting after the word "serve" and before the word "notice" the word "written."

A division was called and the amendment prevailed.

Senator Upton moved to amend the sixth line of section 1 by inserting the word "improve."

A division was called and the amendment lost.

Senator Gorrell moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Bonson, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ericson, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen—31.

The nays were:

Senators Allyn, Berry, Byers, Garst, Kilburn, Mitchell, Sargent, Trewin, Upton, Waterman—10.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Craig, Ellison, Everall, Henderson, Lehfeldt, Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Hospers, substitute for House file No. 97, a bill for an act relating to the creation of liens upon exempt personal property, with report of committee recommending that the same be concurred in, was taken up, considered, and the report of the committee adopted.

Senator Hospers offered the following amendment:

Strike out in the first line of section one after the word "No" the words "lease, sale, conveyance and or;" and strike out in said section one after the word "of" the words "household and kitchen furniture, private libraries, portraits, pictures, musical instruments and paintings, beds and bedding, sewing machines and other instruments of domestic labor kept for actual use," and insert in lieu thereof the words "personal property."

Adopted.

Senator Hospers moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—38.

The nays were:

Senators Bonson and Ranck—2.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Byers, Eaton, Ellison, Everall, Garst, Lehfeldt, Mitchell—1

So the bill passed.

Senator Healy offered the following amendment to the title: "A bill for an act relating to the creation of liens upon exempt personal property."

The title as amended was agreed to.

On motion of Senator Ellis, Senate file No. 16, a bill for an act to provide for and regulate the administration of trusts by savings banks and trust companies, with report of committee recommending a substitute and amendments, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bell, Berry, Blanchard, Ellison, Garst, Hobart, Kilburn, Lehfeldt, Waterman—10.

So the bill passed and the title was agreed to.

On motion of Senator Harper, House file No. 253, a bill for an act to amend section 454 of the Code, relating to powers of cities, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Allyn, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop,

Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were :

None.

Absent or not voting :

Senators Alexander, Bell, Berry, Blanchard, Ellison, Harri-
man, Healy, Lehfeldt, Mitchell, Pusey—10.

So the bill passed and the title was agreed to.

On motion of Senator Rowen, House file No. 194, a bill for an act entitled an act to increase the support fund of the boys' department of the Iowa Industrial School, with report of committee recommending the same be concurred in, was taken up, considered, and the report of the committee adopted.

Senator Rowen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

Senator Waterman moved that the vote by which the bill was ordered to a third reading be reconsidered.

Carried.

Senator Carney offered the following amendment to section 1:

Such allowance shall be in full of any allowance for such purpose, and section 1, chapter 21 of the acts of the Fifteenth General Assembly, as amended by the acts of the Seventeenth General Assembly, is hereby repealed.

Senator Waterman moved that the bill be recommitted to the Committee on Appropriations, and retain its place on the Calendar.

A division was called for, and the motion was lost.

Senator Trewin offered the following amendment to the amendment by Senator Carney:

I move to amend by striking out section 1 and inserting the following: Section 1, of chapter 21, of the Fifteenth General Assembly, as amended by the Seventeenth General Assembly, is hereby amended by striking out the word "eight" in the third line thereof, and insert the word "ten."

Senator Waterman moved that the bill be referred to the Committee on Charitable Institutions, and that the bill retain its place on the Calendar.

On this a division was called for and the motion prevailed.

Senator Perrin moved that the Senate do now adjourn.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, March 21, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. J. A. Wirt, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Bonson presented petition of citizens of Cascade, Iowa, relative to an extra session.

Referred to Committee on Ways and Means.

Senator Ericson presented petition of Ed. F. Johnson and others on same subject.

Referred to Committee on Ways and Means.

Senator Craig presented petition of F. O. Newcomb and others, of Butler county, asking the reimbursement of citizens contributing to the New Orleans Exposition.

Referred to Committee on Claims.

INTRODUCTION OF BILLS.

By Code Revision Committee, Senate file No. 420, a bill for an act to amend, revise and codify the statutes of procedure in particular cases.

Read first and second time and referred to Committee on Code Revision.

By Code Revision Committee, Senate file No. 421, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure.

Read first and second time and referred to Committee on Code Revision.

By Code Revision Committee, Senate file No. 422, a bill for an act to revise, amend and codify the statutes in relation to procedure to reverse, vacate, or modify judgments.

Read first and second time and referred to Committee on Code Revision.

On request of Senator Henderson leave of absence was granted Senator Druet until Monday.

On request of Senator Funk leave of absence was granted Senator Carpenter until Monday.

On request of Senator Hobart leave of absence was granted Senator Ellison.

On request of Senator Carroll leave of absence was granted Senator Pusey.

Leave of absence was granted Senator Carney until Tuesday.

On request of Senator Junkin leave of absence was granted Senator Ellis until Wednesday.

On request of Senator Rowen leave of absence was granted Senator Rikken until Monday afternoon.

On request of Senator Upton leave of absence was granted Senator Trewin until Tuesday.

REPORTS OF STANDING COMMITTEES.

Senator Young, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred House file No. 251, a bill for an act to create the Twentieth Judicial District, and provide for the appointment of one judge and the election of two judges therein, also providing for an election of four judges in the Second and three judges in the Sixth Judicial District, defining the jurisdiction of the said courts therein, and for holding terms of court in said districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

D. H. YOUNG,
Chairman.

Ordered passed on file.

Senator Carney, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 399, a bill for an act to prescribe the method of electing representatives in congress, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 147, a bill for an act to amend section 589 of the Code in

reference to the election of clerks of the district court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. L. CARNEY,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Code Revision, submitted the following report:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 380, a bill for an act to amend section 2008 of the Code of 1873, relating to the election to retain descent and exemption of homestead, beg leave to report that they have had the same under consideration and have instructed met to report the same back to the Senate with the recommendation that the same be referred to the Committee on Judiciary.

C. A. CARPENTER,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was referred Senate file No. 63, a bill for an act to revise, amend and codify the statutes in relation to county and township government, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

Strike out all line numbers, words and figures at ends of sections, and all underscorings.

Page 85, section 1, line 1, insert, after the word "county" and before the word "for," the words "is a body corporate;" also, same line, strike out after the word "purposes" the words "is a body corporate;" also, same section, line 2, strike out the word "proper" after the word "all" and before the word "contracts" and insert after the word "contracts" the word "necessary."

Page 85, section 3, line 3, strike out the word "three" and insert in lieu thereof the word "five."

Page 85, section 4, line 7, add at the end of the section the words "and shall be filed with the auditor at least sixty days before the June session of the board."

Page 85, section 5, line 2, strike out the words "presented to such board" and insert in lieu thereof the words "filed with the auditor ten days prior to the date fixed by the notice hereinafter provided for."

Page 86, section 6, line 1, strike out the whole of the line and insert the following in lieu thereof: "Sec. 6. Upon the filing of such petition sixty days' notice thereof and of the date of hearing shall be given by the auditor, by three insertions."

Page 86, section 7, line 1, strike out the word "presentation" after the word "the" and before the word "of" and insert in lieu thereof the word "hearing;" also, same line, insert after the word "remonstrance" the words "if there be any."

Page 86, section 8, line 1, strike out the words "ballot shall state that it was cast for the county seat, and name the place voted for," and insert in lieu thereof the following: "proposition to be submitted shall be, 'Shall the proposition to change the county seat to (naming the town to which the change is proposed) be adopted?'"

Page 86, section 9, line 1, strike out the words "the point designated in the petition obtain;" also, same line, insert after the word "cast" the words "be in favor of the proposition;" also, same section, line 2, strike out the word "same" after the word "the" and before the word "to," and insert in lieu thereof the words "town named therein."

Page 86, section 10, line 5, strike out the word "fifteen," and insert in lieu thereof the word "twenty,"

Page 88, section 13, line 4, strike out the words "and the principal when it matures," and insert in lieu thereof the words "and such proportion of the principal that at the end of eight years the sum raised from such levies shall at least equal 15 per cent of the amount of bonds issued; at the end of ten years at least 30 per cent of the amount, and at or before the date of maturity of the bonds shall be equal to the whole amount of the principal and interest."

Page 89, section 1, lines 6 and 7, strike out the words "the question, 'Shall the number of supervisors be increased to five or seven,'" and insert in lieu thereof the words "one of the following propositions as such board may elect in the absence of a petition, or as may be requested in said petition: 'Shall the proposition to increase the number of supervisors to five be adopted?' or 'Shall the proposition to increase the number of supervisors to seven be adopted?'" also, line 8, strike out the words "the increase of the number," and insert in lieu thereof the words "for the proposition so submitted;" also, lines 13 and 14, strike out the words "the question 'Shall the number of supervisors be reduced to five or three?'" and insert in lieu thereof the words "one of the following propositions as the same may be requested in such petition, 'Shall the proposition to reduce the number of supervisors to five be adopted?' or 'Shall the proposition to decrease the number of supervisors to three be adopted?'"

Page 90, section 5, line 2, insert after the word "shall" the words "at its next meeting thereafter."

Page 90, section 9, line 5, strike out the word "state" before the word "census."

Page 91, section 13, line 7, insert after the word "all" and before the word "claims" the word "just."

Page 92, section 13, line 32, strike out the words "in this chapter" and insert in lieu thereof the words "by law."

Page 94, section 21, line 1, strike out the word "one-half" and insert in lieu thereof the word "three-tenths."

Page 96, section 27, line 4, insert after the word "voted" the words "who shall each give bonds in such amount as shall be fixed by the board."

Page 98, section 35, line 3, strike out all of the line and insert the following words: "submit one of the following questions of police regulation;" also, same section, strike out lines 10 and 11 and insert in lieu thereof the words "The word 'stock' as used in this section shall have the same meaning as in the chapter of this code relating to domestic animals."

Page 98, section 38, line 1, strike out the word "a" and insert the word

“any;” also, strike out the word “so” after the word “question” and before the word “submitted.”

Page 101, section 54, line 5, insert after the word “name” and before the word “which” the word “by;” also strike out the word “by” in line 6.

Page 105, section 4, line 2, insert after the word “payment” the words “or presents for payment a warrant in excess of the funds in the treasury.”

Page 112, section 5, add as line 9 “A. B., coroner of — county.”

Page 113, add to section 14 the words “the coronor shall report to the clerk of the district court all cases of death which may come under his supervision, with the cause or mode of death, in accordance with forms furnished by the state board of health.”

Page 113, section 15, insert in the first line after the word “coroner” the words “except as otherwise provided by law.”

Page 113, section 17, line 1, insert after the word “coroner” the words “or justice of the peace as the case may be.”

Page 114, add as sections 20 and 21 to chapter 7 the following:

“SEC. 20. Any property or money found with or upon the person of deceased, if there be no person authorized to receive the same, shall forthwith be turned over by the coroner to the clerk of the district court, to be held until administration is granted.

“SEC. 21. A failure to comply with the preceding section shall be deemed a misdemeanor.”

Page 114, section 2, line 2, insert after the word “land” the words “if there be any in his office or that of the auditor.”

Your committee recommends that when the above amendments are adopted the bill do pass.

C. A. CARPENTER,
Chairman.

Three hundred copies of amendment ordered printed.

Also:

MR. PRESIDENT—Your Committee on Code Revision, to whom was submitted Senate file No. 82, a bill for an act to revise, amend and codify the statutes in relation to estates of decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments:

Strike out all line numbers, words and figures at ends of sections, and all underscorings.

Page 669, section 2, line 2, strike out the words “that it has been given as ordered,” and insert in lieu thereof the words “of the giving of such notice.”

Page 674, section 28, line 6, add at end of the line the words “when such course is deemed expedient.”

Page 674, section 36, line 1, insert after the word “after” and before the word “five” the words “lapse of.”

Page 675, section 37, line 11, insert after the word “state” and before the word “and” the words “as far as the assets thereof shall extend.”

Page 675, strike out all of section 38.

Page 675, section 39, line 1, insert after the word “the” and before the word “record” the word “original;” also, line 4, same section, insert after

the word "records" and before the word "may" the words "of another state."

Page 676, section 3, line 3, insert after the word "will" and before the word "and" the words "accepted by the widow."

Page 677, section 8, line 4, strike out the word "therein" and insert in lieu thereof the words "in any such real estate."

Page 681, section 40, line 1, insert after the word "thereof," and before the word "served," the words "as hereinbefore provided;" also, line 2, same section, insert after the word "notice," and before the word "aforesaid" the words "of appointment as referred to in the preceding section."

Page 689, section 20, strike out all the remaining part of the section after the word "court," in line 7.

Your committee recommends that when the above amendments are adopted the bill do pass.

C. A. CARPENTER,

Chairman.

Three hundred copies ordered printed.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper and cigarette wrappers, and providing penalties for the violation of the provisions thereof.

G. S. GILBERTSON,

Chairman.

Ordered passed on file.

BILLS ON SECOND READING.

Senator Garst moved to take up bills reported for indefinite postponement.

Carried.

House file No. 31, a bill for an act defining fraternal beneficiary societies, etc., with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 282, a bill for an act providing for farmers' institutes, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 175, a bill for an act for the permanent support and maintenance of the State University, and to provide for the erection of necessary buildings therefor, with report of committee recommending that the same be indefinitely postponed, and that a substitute be enacted in lieu thereof, was taken up.

Senator Ranck moved that the bill be stricken from the Calendar.

Carried.

Senate file No. 339, a bill for an act to amend section 1324 of the Code of Iowa, as amended by chapter 104 of the acts of the Nineteenth General Assembly, relating to telegraph and telephone lines, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up.

Senator Cheshire moved that the bill be stricken from the Calendar.

Carried.

House Joint Resolution No. 5, of and concerning a system of gambling in our country's products, with report of committee recommending that the Senate do not concur, was taken up and the report of the committee adopted.

Senate file No. 301, a bill for an act to enable cities organized under special charter to issue bonds for the paving of street and alley intersections, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 339, a bill for an act to amend section 1324, of the Code of Iowa, as amended by chapter 104 of the acts of the Nineteenth General Assembly, relating to telegraph and telephone lines, with report of committee recommending that it be indefinitely postponed, for the reason that the substance thereof is contained in the proposed Code, was taken up, considered, and the report of the committee was adopted.

Senate file No. 340, a bill for an act to amend section 1, chapter 16, of the acts of the Twenty-second General Assembly, relating to powers of cities and towns of the first and second class having over 7,000 population, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 2, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service, with report of committee recommending it be indefinitely postponed, it being the same as House file No. 223, previously acted upon, was taken up, considered, and the report of the committee was adopted.

Senate file No. 155, a bill for an act to appropriate money to procure for the Governor's rooms in the Capitol portraits of

ex-Governor John H. Gear, ex-Governor Buren R. Sherman, ex-Governor William Larrabee, ex-Governor Horace Boies, and ex-Governor Frank D. Jackson, with report of committee recommending it be indefinitely postponed, it being same as House file No. 55, already acted upon, was taken up, considered, and the report of the committee was adopted.

Senate file No. 312, a bill for an act to amend chapter one (1) of the title nine (9) of the Code as amended by chapter eighty-six (86) of the Twenty-second General Assembly, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House file No. 196, a bill for an act relative to trimming osage orange, willow and all other hedges used for division fence, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 75, a bill for an act to prevent the spread of contagious and infectious diseases among swine, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 318, a bill for an act to amend section 1, chapter 64, of the acts of the Twenty-fifth General Assembly, in relation to trespassing on the lands of another, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 73, a bill for an act to amend section 5894, chapter 33, of McClain's Code, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Application for the pardon of C. P. Wells, with report of committee recommending it be granted was taken up.

Senator Rowen moved that this number be stricken from the Calendar.

Carried.

House file No. 34, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security, with report of committee recommending it be not concurred in, for the reason that the subject matter is already embodied in a bill now before the

Senate was taken up, considered, and the report of the committee was adopted.

House file No. 63, a bill for an act to amend section 3861 of the Code, as amended by section 1, chapter 114 of the acts of the Twenty-first General Assembly, in relation offenses against the life and the person was taken up.

Senator Harper moved that the bill be stricken from the Calendar.

Carried.

House file No. 275, a bill for an act to amend section three thousand sixty-one (3061) of the Code of 1873, in relation to stay of execution, with report of committee recommending that it be not concurred in for the reason that the subject is embodied in a bill now before the Senate, was taken up, considered, and the report of the committee was adopted.

Senate file No. 263, a bill for an act to establish and continue a chair of pedagogy in the State Agricultural College, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 134, a bill for an act to appropriate money to procure for the Adjutant-General's rooms in the Capitol a portrait of the late Adjutant-General Nathaniel B. Baker, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 166, a bill for an act to authorize the Historical Department of Iowa to purchase a certain unpublished manuscript, known as "A History of the Iowa Troops in the War of the Rebellion," with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 298, a bill for an act to amend section 4, chapter 143, acts of the Sixteenth General Assembly, relating to the appointment of judges of superior courts, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up.

Senator Downey moved that the bill be stricken from the Calendar.

Carried.

Senate file No. 305, a bill for an act requiring corporations to file their articles of incorporation with the secretary of

state, and procuring a certificate to transact business within the state, with report of committee recommending it be indefinitely postponed, a bill covering the same subject having been already reported, was taken up, considered and the report of the committee was adopted.

Relative to the petition for the pardon of George Stanley, with the report of committee recommending it be indefinitely postponed, was taken up.

Senator Rowen moved that this number be stricken from the Calendar.

Carried.

Senate file No. 323, a bill for an act to amend section 16 of chapter 60, of the acts of the Fifteenth General Assembly, relating to savings banks, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House file No. 418, a bill for an act to enable trustees or commissioners of state institutions to lay out, establish, vacate or change public highways through land owned by the state on which state institutions are situated, with report of committee recommending it be indefinitely postponed, for the reason that Senate file No. 362, which embodies the same matter as contained in this bill, is now on the Calendar, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Carney Senate file No. 410, a bill for an act to legalize the incorporation of the Independent School District of Melbourne, Marshall county, Iowa, and the acts of the Township Board of Directors organizing the same, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Carney moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Upton, Waterman, Young—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Druet, Eaton, Ellis, Ellison, Gorrell, Hipwell, Hurst, Lehfelddt, Phelps, Pusey, Rikken, Trewin—16.

So the bill passed and the title was agreed to.

On motion of Senator Rowen, Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winifred J. Byrne, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Rowen moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Upton, Waterman, Young—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Druet, Eaton, Ellis, Ellison, Gorrell, Hipwell, Hurst, Lehfelddt, Phelps, Pusey, Rikken, Trewin—16.

So the bill passed and the title was agreed to.

On motion of Senator Healy Senate file No. 415, a bill for an act to legalize the ordinances of the town of Clare, Iowa, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Waterman, Young—32.

The nays were:

None:

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Druet, Eaton, Ellis, Ellison, Gorrell, Hipwell, Hurst, Lehfeldt, Phelps, Pusey, Rikken, Sargent, Trewin, Upton—18.

So the bill passed and the title was agreed to.

Senator Carroll excused.

On motion of Senator Funk Senate file No. 403, a bill for an act to provide for the payment of current expense fund for Hospitals for the Insane, quarterly in advance, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Funk offered the following amendment to the bill:

Provided, That no requisition shall be issued earlier in any one quarter of the year than the first day of February, May, August and November.

Adopted.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Rowen, Sargent, Upton, Waterman, Young—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Carroll, Druet, Eaton, Ellis, Ellison, Gorrell, Lehfeldt, Phelps, Pusey, Ranck, Rikken, Trewin—16.

So the bill passed and the title was agreed to.

On motion of Senator Palmer Senate file No. 387, a bill for an act to amend section two (2) of chapter seventeen (17) of the acts of the Twenty-second General Assembly, as amended, changing the form of city bonds, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Palmer offered the following amendment:

I move to strike out figures in title, and also in first sections.

Adopted.

Senator Palmer moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Upton, Waterman, Young—32.

Senator Mitchell voted in the negative.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Carroll, Druet, Eaton, Ellis, Ellison, Gorrell, Healy, Kilburn, Lehfelddt, Phelps, Pusey, Rigger, Trewin—17.

So the bill passed and the title was agreed to.

Senator Penrose filed the following motion and asked that it be laid over:

I move that the vote by which House file No. 122 was passed be reconsidered.

E. G. PENROSE.

March 21, 1896.

On motion of Senator Penrose House file No. 423, a bill for an act to legalize the organization of the Independent School District of Stockport, Van Buren county, Iowa, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Penrose moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Upton, Waterman—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Carroll, Druet, Eaton, Ellis, Ellison, Gorrell, Lehfelddt, Mitchell, Phelps, Pusey, Rigger, Trewin, Young—17.

So the bill passed and the title agreed to.

On motion of Senator Cheshire House file No. 260, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works, and to provide for the management thereof, and giving them additional powers in respect thereto, with report of committee recommending certain amendments, and that when so amended that the bill do pass, was taken up, considered, and the report of the committee adopted. By unanimous consent the second word "purchased" was stricken out.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Cheshire, Craig, Downey, Ericson, Everall, Funk, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Waterman—28.

Senator Hotchkiss voted in the negative.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Carpenter, Carroll, Druet, Eaton, Ellis, Ellison, Garst, Gilbertson, Gorrell, Kilburn, Lehfeldt, Mitchell, Phelps, Pusey, Riggen, Trewin, Upton, Young—21.

So the bill passed and the title was agreed to.

On motion of Senator Upton Senate file No. 290, a bill for an act to amend section 3179 as amended by the Twenty-second General Assembly, chapter 35, relating to transcripts on appeal, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Carney offered the following amendment:

I move to amend by inserting after the word "transcript," in the amendment proposed by the Judiciary Committee, the words "of the evidence."

Adopted.

Senator Upton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Carney, Cheshire, Craig, Downey, Everall, Ericson, Funk, Garst, Gilbertson, Harper,

Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Ranck, Rowen, Sargent, Upton, Waterman, Young—33.

The nays were:

None:

Absent or not voting:

Senators Alexander, Bell, Blanchard, Byers, Carpenter, Carroll, Druet, Eaton, Ellis, Ellison, Gorrell, Healey, Lehfeldt, Phelps, Pusey, Rikken, Trewin—17.

So the bill passed.

Senator Upton moved to amend the title by inserting after the word "appeal" the words "to the Supreme Court."

Adopted.

The title as amended was agreed to.

Senator Bonson was excused till Tuesday.

The Journal of Friday was taken up, read, corrected, and approved.

Senator Berry moved that the Senate do now adjourn until Monday at 11:00 o'clock A. M.

Senator Mitchell moved to amend by striking out "eleven" and inserting "ten" in lieu thereof.

Lost

The original motion prevailed.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, March 23, 1896. }

Senate met in regular session at 11 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. C. L. Nye, Perry, Iowa.

PETITIONS AND MEMORIALS.

Senator Hospers presented remonstrance of G. W. Anderson and others against the passage of House file No. 306.

Referred to Committee on Railways.

Senator Harriman presented remonstrance of Letts, Spencer Hoffman company in relation to pure food bill.

Referred to Committee on Public Health.

Senator Rowen presented resolution of Equality club of Eagle Grove, Iowa, in regard to the action of the Senate on equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Bonson presented remonstrance of citizens of Dubuque against any change in railway laws.

Referred to Committee on Railways.

Senator Hurst presented remonstrance of citizens of Jackson county on same subject.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Committee on Military, Senate file No. 423, a bill for an act to amend section 15 of chapter 58 of the laws of the Twenty-first General Assembly, relating to powers of boards of soldiers' homes.

Senator Craig moved that Senate file No. 423 be placed on the Calendar and made a special order for Thursday, March 26th, to follow the manufacturers' bill.

Carried.

On request of Senator Everall, leave of absence was granted Senator Byers until Wednesday.

On request of Senator Kilburn, leave of absence was granted Senator Ellison until Wednesday.

On request of Senator Hurst, leave of absence was granted Senator Hipwell until Tuesday.

On request of Senator Cheshire, leave of absence was granted Senator Blanchard until next Monday.

REPORTS OF STANDING COMMITTEES.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 411, a bill for an act for the better protection of game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Fish and Game after the following amendment has been made:

Strike out section 21; make section 22 section 21.

D. J. PALMER,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 100, a bill for an act to revise, amend and codify the laws in relation to certain police regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed after the following amendments have been made:

TITLE XII, CHAPTER 13, PAGE 510, OF PROPOSED CODE REVISION.

Section 1, line 4, after the word "governor" insert "with the approval of the executive council."

Section 1, line 7, strike out the words "test tubes or bottles" and insert in lieu thereof "or other test tubes or bottles approved by the director of the Iowa Agricultural Experiment Station."

Section 1, line 19, after the word "office" insert the following: "He shall have the power to inspect creameries, cheese or condensed milk factories, or premises where butter is reworked or packed, and examine into the sanitary condition of the premises, drains or sewerage, the ventilation, refrigeration and cleanliness, and purity of all milk, cream and products manufactured or handled, and as to the cleanliness of all machinery and utensils used in the manufacture of, or coming in contact with any such milk, cream or products. The commissioner shall have power to make all needed regulations for the government of city milk dealers, creamery, cheese and butter factory inspection, together with rules, regulations and requirements necessary, all of which shall be approved by the executive council."

Section 3, lines 9, 17, 18 and 22, change "imitation" to "substitute for."

Section 7, lines 12 and 13, strike out the words "it shall be at once returned" and insert in lieu thereof the words "the value thereof shall be paid by the dairy commissioner as part of the expenses of his office."

Section 8, line 5, after the word "tester" insert the words "or other test tubes or bottles approved by the director of the Iowa Agricultural Experiment Station."

After section 8 insert the following as section 9: "Sec. 9. Every city milk dealer, or the employe of such dealer, and every person or corporation, or the employe of such person or corporation, who operates a creamery, cheese or condensed milk factory, or reworks or packs butter, shall maintain his premises and utensils in a clean and hygienic condition, and shall make, upon blanks furnished by the dairy commissioner, such reports and statistics as may be required by the dairy commissioner, and such dealer, owner, operator or business manager shall make such returns and reports in the manner and in the time prescribed by the commissioner, and certify to the correctness thereof."

Make section 9 "section 10."

Make section 10 "section 11."

Make section 11 "section 12."

Make section 12 "section 13."

Make section 13 "section 14."

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate file No. 366, a bill for an act in relation to the sentence of persons convicted of a crime, and providing for a system of parole, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of William Dilley, a life convict confined in the penitentiary at Anamosa under a sentence for murder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the pardon of the said William Dilley be not granted.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the petition of Theo. Bushiek, a life convict confined in the penitentiary at Anamosa under a sentence for the crime of murder,

beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the pardon applied for by the said Theo. Bushick be granted.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of Joseph Mason, a life convict confined in the penitentiary at Anamosa under a sentence of murder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the pardon applied for by the said Joseph Mason be not granted.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Perrin, from the Committee on the Suppression of Intemperance submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 90, being chapter 6, title ii, of the proposed Code of Iowa, relating to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows and when so amended the same do pass.

AMENDMENTS PROPOSED TO CHAPTER 6, TITLE XII, OF THE PROPOSED CODE OF IOWA.

In line 4, section 4, after the word "pharmacists," insert the words "physicians holding certificates from the state board of medical examiners."

In lines 7 and 11, section 5, strike out the word "may" and substitute the word "shall" therefor.

In line 2, section 6, after the word "petition" insert "signed by one-third of the freehold voters of the township, incorporated town, city or ward in which the permit is to be used."

Strike out all of section 7.

In line 15, section 9, strike out the word "fifteen" and insert the words "number of."

In line 4, section 12, strike out the words "the length of time," and in line 5, after the word "force" insert the words "two years."

In section 14, lines 5, 14 and 15, strike out the word "may" and substitute the word "shall" therefor.

In section 22, line 6, strike out the words "to exceed ten," and substitute therefor the words "less than five nor more than twenty-five."

In section 23, line 4, strike out the words "to the school fund;" in line 6 strike out the words "and one had been given," the word "and" and the

word "any" after the word "of" and all of line 7, and substitute therefor the words "the amount so collected shall go to the informer and one-half to the school fund of the county."

In section 27, line 7, strike out the words "five hundred" and substitute therefor the words "two hundred."

In section 38, line 4, insert after the word "selling" a comma, and after the word "another" insert the words "contrary to the provisions of this chapter," followed by a comma."

In section 40, line 11, strike out the word "taxed" and substitute therefor the word "assessed."

In section 42, line 5, after the word "giving" insert the words "contrary to the provisions of this chapter."

In section 43, line 13, strike out the words "good faith," and after the word "holders" insert the words "thereof in good faith."

Add to section 53 the words "any assessor wilfully failing to comply with the provisions of this section shall pay a fine of fifty dollars and costs for each offense."

In section 55, beginning in line 2, strike out the clause "and filed with him any time after the twentieth and prior to the last day of the months of December, March, June and September."

Add to section 56 the following, "whoever is assessed under the provisions of this act shall be liable at least for one quarterly installment of the tax herein provided for, notwithstanding any such person may discontinue the business when so assessed, and notwithstanding the fact he may have been in the business for a less period than three months and if he shall continue therein for a longer period than three months he shall be liable for an additional quarterly installment, subject to abatement on account of discontinuance of the business before the expiration of such second or subsequent quarter." Change all section numbers after and including section 8. Strike out all marginal and reference figures and underscoring of words and lines.

W. B. PERRIN,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 314, a bill for an act appropriating money to pay the expenses of the Iowa Shiloh Battlefield Commission, appointed by the Governor of the state to locate and mark the position held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of their duties as such, and to reimburse them for moneys expended in performing said duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 5, a bill for an act to amend chapter thirteen (13), title twelve (12), of the Code, in relation to the State Library, and to provide for an extension of the use thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 thereof be amended by striking out of the second and third lines the following words: "having not less than five hundred volumes other than publications furnished by the state"; that section 3 be amended by inserting after the word "purpose" in fourth and fifth lines of said section, the following words: "or any books in the State Library," and that the bill as amended be reported back with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 244, a bill for an act to indemnify counties for money advanced to support indigent persons by the overseer of the poor in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa for making the exhibit of Iowa at the world's exposition at New Orleans, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Insert in the fifth line of section 2, after the word "exposition" the following: "and into each item thereof." Strike out publication clause, and when so amended that it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Funk moved that Senate file No. 385 be made a special order for to-morrow at 9:30 A. M.

Carried. †

On motion of Senator Perrin, 300 copies of the amendment to Senate file No. 90 were ordered printed.

On motion of Senator Palmer, 300 copies of the amendment to Senate file No. 100 were ordered printed.

BILLS ON SECOND READING.

On motion of Senator Druet, Senate file No. 144, a bill for an act to repeal section 5342 of McClain's Code, and to provide a substitute therefor, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved that the bill be recommitted to the Committee on Educational Institutions and that it retain its place on the Calendar.

Lost.

Senator Harper moved that the bill be referred to the Committee on Judiciary.

Lost.

Senator Druet moved to amend by striking out the figures "5340" and inserting the figures "4023," and strike out the words "of McClain's" and insert the words "of Iowa" after the word "Code" in line 1, section 1.

Adopted.

Senator Garst moved to amend by striking out sections 1 and 2 of the bill.

On this a division was called and the motion lost.

Senator Rowen offered to amend by striking out the words "twenty-five" in sections 2 and 3 and inserting the word "ten" in lieu thereof.

Senator Berry offered the following amendment to the amendment:

I move to amend the amendment by striking out of line 5, in section 1, the words "less than twenty-five dollars or," and strike out of line 4, in section 3 the words "less than twenty-five dollars or."

Adopted.

On the question, "Shall the amendment, as amended, prevail?" a division was called, and the amendment was adopted.

Senator Berry offered the following amendment:

I move to strike out the words "less than ten days or" in line 4, section 2, and strike out of line 5, section 3, the words "less than ten days or."

Adopted.

Senator Carroll offered the following as a substitute for the bill:

SUBSTITUTE FOR SENATE FILE NO. 144.

A bill for an act to repeal section 5342 of McClain's Code, and to provide a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa :

SECTION 1. That section 4023, Code of 1873 be amended by adding at the close thereof the following :

If any person maliciously disturb any team or vehicle used by any person in attending any of the assemblies above mentioned, or remove maliciously any articles from said vehicle, he shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not more than thirty days.

Senate adjourned until 2 o'clock P. M. to day.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M.
President Parrott presiding.

BILLS ON SECOND READING.

Senate resumed consideration of Senate file No. 144.

The substitute was adopted.

Senator Penrose moved to amend the substitute by inserting after the word "vehicle" in the third line the words "or team."

Adopted.

Senator Bonson offered the following amendment:

I move to amend by striking out the word "in" in the first line and inserting in lieu thereof the word "while."

Adopted.

Senator Carroll offered the following amendment:

Insert after the word "vehicle" in line 1, the following: "or cut or injure any harness or saddle."

Adopted.

Senator Cheshire moved that the substitute with the amendments be referred to the Committee on Judiciary.

Senator Berry moved to amend the motion by striking out the words "Judiciary Committee" and inserting the words "Committee on Educational Institutions," and by adding that it retain its place on the Calendar.

On this a division was called for, and the amendment prevailed.

The motion as amended was adopted.

On motion of Senator Carpenter, Senate file No. 201, a bill for an act to amend chapter 104 of the acts of the Twenty-first General Assembly, by providing for an appeal from the state board of examiners, with report of committee recommending a substitute, and that when adopted it do pass.

Senator Pusey moved to amend the substitute as reported by adding the words "or person aggrieved" after the word "college" in the third line of section 1.

Adopted.

Senator Pusey moved to amend by inserting the words "or person" after the word "college" in second line of section 2.

Adopted.

The report of the committee as amended was adopted.

Senator Carpenter moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bell, Carpenter, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Henderson, Hipwell, Hospers, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Upton, Waterman—28.

The nays were:

Senators Berry, Bonson, Carroll, Druet, Gorrell, Harriman, Kilburn—7.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Byers, Carney, Eaton, Ellis, Ellison, Healy, Hobart, Hotchkiss, Lehfeldt, Rigger, Trewin, Young—15.

So the bill passed and the title was agreed to.

Senator Cheshire moved that House file No. 260 be recalled from the House for correction.

Carried.

On motion of Senator Ericson, Senate file No. 140, a bill for an act to prevent the spread of disease among swine, with report of committee recommending a substitute for the same, was taken up.

Senator Junkin offered the following substitute for section 2:

SEC. 2. It shall be the duty of the owner or persons having in their charge or under their control any swine that have died with or been killed on account of any disease, to immediately burn the same.

On this a division was called for and the substitute was lost.

Senator Junkin offered the following amendment as a substitute for section 4:

SEC. 4. It shall be unlawful for any person to haul or transport upon or along or over any public highway or other public ground or over any land except that which is in his possession, any diseased swine, or swine that have died with or been killed on account of any disease.

If any person be found hauling or transporting any dead swine that have not been slaughtered for private use or for sale upon the open market, it shall be presumptive evidence that the same are being hauled and transported in violation of this section.

On the question, "Shall the substitute for section 4 be adopted?" the yeas were:

Senators Carpenter, Cheshire, Craig, Ericson, Garst, Harper, Henderson, Hospers, Junkin, Rowen, Waterman—11.

The nays were:

Senators Allyn, Bell, Berry, Bonson, Carroll, Downey, Druet, Everall, Funk, Gilbertson, Gorrell, Harriman, Healy, Hipwell, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Sargent, Upton—25.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carney, Eaton, Ellis, Ellison, Hobart, Lehfeldt, Pusey, Ranck, Rigger, Trewin, Young—14.

So the substitute for section 4 was lost.

Senator Berry moved to strike out the word "such" in the sixth line of section 6.

Carried.

The report of the committee as amended was adopted.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Rowen, Sargent, Upton, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carney, Eaton, Ellis, Ellison, Healy, Henderson, Hobart, Lehfeldt, Pusey, Ranck, Rigger, Trewin, Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Mitchell, Senate file No. 197, a bill for an act to amend section 3173 of the Code, in reference to amount involved in cases of appeal to supreme court, was taken up and considered.

Senator Mitchell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carpenter, Carroll, Cheshire, Craig, Druet, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Henderson, Hipwell, Hospers, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Penrose, Phelps, Pusey, Rikken, Rowen, Sargent, Upton, Waterman—31.

The nays were:

Senators Everall, Harper, Hurst, Lothrop, Perrin, Ranck—6.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carney, Downey, Eaton, Ellis, Ellison, Healy, Hobart, Lehfeldt, Trewin, Young—13.

So the bill passed and the title was agreed to.

On motion of Senator Harriman, House file No. 48, a bill for an act to amend section 492 of the Code, relating to the power of ordinances, with report of committee recommending the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Harriman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carroll, Cheshire, Craig, Downey, Druet, Ericson, Everall, Funk, Gilbertson, Gorrell, Harriman, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rikken, Rowen, Sargent, Upton, Waterman—32.

The nays were:

Senators Garst and Harper.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carney, Carpenter, Eaton, Ellis, Ellison, Healy, Hipwell, Hobart, Hurst, Lehfeldt, Ranck, Trewin, Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car, with report of committee recommending the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman offered the following amendment:

Amend by adding after the word "car" in line 1 the words "which is sealed or locked."

Adopted.

Senator Berry offered the following amendment:

I move to amend by inserting after the word "locked" in line 1 the words "or office, shop, store, warehouse, boat or vessel."

Lost.

Senator Berry offered the following amendment:

I move to amend by striking out of line 3 the words "be imprisoned in the penitentiary not more than five years or"; and strike out the word "and" in the fourth line and insert in its place the word "or"; also strike out the words "one year" and insert in lieu thereof "thirty days."

A division was called for and the amendment lost.

Senator Healy offered the following amendment:

Amend third line by inserting after the word "transportation" the words, "so that any public offense may be permitted to be committed by said person or any other person."

Senator Garst moved that the Senate do now adjourn.

On this a division was called for and the motion was lost.

Senator Waterman moved the previous question.

Carried.

The question recurring on the amendment, the amendment was lost.

On the question, "Shall the bill be engrossed?" the yeas were:

Senators Bell, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ericson, Funk, Harper, Harriman, Henderson, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Riffin, Sargent, Waterman—23.

The nays were:

Senators Allyn, Berry, Bonson, Everall, Garst, Gilbertson, Gorrell, Healy, Hospers, Hotchkiss, Kilburn, Ranck, Upton—13.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carney, Eaton, Ellis, Ellison, Hipwell, Hobart, Hurst, Lehfeldt, Rowen, Trewin, Young—14.

The Journal of Saturday was taken up, read, corrected and approved.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, March 24, 1896.

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. O. Smith, Sumner, Iowa.

PETITIONS AND MEMORIALS.

Senator Pusey presented memorial of Abe Lincoln Post, G. A. R., expressing thanks to those senators who voted for the Waterman bill to remove the medallions from the soldiers' monument.

Referred to Committee on Military.

Senator Ranck presented petition of Henry Strohm and others to reimburse citizens and counties for contributions to the New Orleans exhibition, and asked that it be read.

Referred to Committee on Claims.

Senator Palmer presented remonstrance of L. J. Bidwell and others against proposed change in railway laws.

Referred to Committee on Railways.

Senator Harriman presented remonstrance of W. H. Thompson and others against an increase of taxation.

Referred to Committee on Ways and Means.

Senator Hipwell presented remonstrance of Charles Buderbeck and others against any change in railway laws.

Referred to Committee on Code Revision.

Senator Phelps presented petition of C. C. Redfield and others to reimburse citizens and counties who made contributions to the New Orleans exhibition.

Referred to Committee on Claims.

Senator Allyn presented petition of C. S. Stearns and others to reimburse citizens and counties who made contributions to the New Orleans exhibition.

Referred to Committee on Claims.

Senator Lothrop presented petition of W. L. Redden and others for additional normal schools.

Referred to Committee on Educational Institutions.

REPORTS OF STANDING COMMITTEES.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 223, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 200, a bill for an act to make an appropriation for the Iowa Agricultural Society.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 400, a bill for an act to amend section 2, chapter 3 of the acts of the Fifteenth General Assembly relating to the pay of chaplains of the General Assembly.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 422, a bill for an act making appropriation for enlarging the cell capacity and yard of the penitentiary at Fort Madison, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House file No.

349, a bill for an act to amend section 4, chapter 143, acts of the Sixteenth General Assembly, relating to the appointment of judges of superior courts.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Bell, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate file No. 207, a bill for an act regulating the soliciting and sale of nursery stock in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

THOS. BELL,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 350, a bill for an act to authorize cities to establish a Department of Health and defining its organized powers and duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOMAS A. CHESHIRE,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 387, a bill for an act to amend section 2 of chapter 17 of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds, read first and second time.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has recalled the following bill, in which the concurrence of the Senate was asked:

House file No. 244, a bill for an act to indemnify counties for money advanced to support indigent persons by the overseer of the poor in certain cases.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT — I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 486, a bill for an act to legalize the incorporation, proceedings and ordinances passed by the incorporated town of Woolstock, Wright county, Iowa.

House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases.

House file No. 298, a bill for an act declaring express companies operating and doing business in this state common carriers, and providing for their regulation and control by the railroad commissioners.

House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishment, executions and supplementary proceedings.

House file No. 21, a bill for an act to revise, amend and codify the statutes in relation to procedure, to reverse, vacate or modify judgments.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has returned the following bill, the return of which was asked by the Senate:

House file No. 260, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works, and to provide for the management thereof, and give them additional powers in respect thereto.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

Senate file No. 244, by Junkin, a bill for an act to provide for the auditing and payment of certain expenses of district judges, with report of Committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

The hour for the special order having arrived Senator Funk moved that the time of consideration of special order be extended 30 minutes, or until the bill under consideration is disposed of.

Carried.

Senator Cheshire offered the following amendment:

Provided, That where any judge accepts and uses free railway transportation, he shall not include in such itemized statement of expenses any item for transportation.

The hour for special order having arrived Senator Funk moved that the consideration of special order be postponed one hour, or until the bill now under consideration be disposed of.

Carried.

On request of Senator Garst, leave of absence was granted Senator Mitchell.

On request of Senator Upton, leave of absence was granted Senator Trewin.

On request of Senator Kilburn, leave of absence was granted Senator Ellison.

Senator Rikken was excused.

Senator Hospers moved the previous question.

On the question, "Shall the main question be put?" a division was called for and the motion was lost.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Berry, Carney, Carpenter, Carroll, Cheshire, Eaton, Everall, Gilbertson, Harper, Harriman, Healy, Hobart, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Pusey, Rikken, Rowen—21.

The nays were:

Senators Allyn, Bell, Bonson, Craig, Druet, Ericson, Funk, Garst, Henderson, Hipwell, Hospers, Hotchkiss, Perrin, Phelps, Ranck, Sargent, Upton, Waterman, Young—19.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Downey, Ellis, Ellison, Gorrell, Lehfeldt, Mitchell, Trewin—10.

So the amendment was adopted.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bonson, Carney, Carpenter, Cheshire, Craig, Eaton, Gilbertson, Harper, Healy, Hipwell, Hurst, Junkin, Lothrop, Palmer, Penrose, Phelps, Pusey, Ranck, Rikken, Rowen—20.

The nays were:

Senators Allyn, Bell, Berry, Carroll, Druet, Ericson, Everall, Funk, Garst, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Perrin, Sargent, Upton, Waterman, Young—20.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Downey, Ellis, Ellison, Gorrell, Lehfelddt, Mitchell, Trewin—10.

The bill having failed to secure a constitutional majority was declared lost.

Senator Upton filed the following motion:

I move to reconsider the vote by which Senate file No. 235 was adopted.

Senator Harriman presiding.

Special order, Senate file No. 385, a bill for an act imposing an inheritance tax and providing for the collection of the same was taken up and considered.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Upton, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Ellis, Ellison, Gorrell, Lehfelddt, Mitchell, Rigger, Rowen, Trewin—11.

So the bill passed and the title was agreed to.

President Parrott presiding.

On motion of Senator Palmer, House file No. 37, a bill for an act to authorize cities of the second class to acquire real estate, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Palmer moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Upton, Waterman, Young—38.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carpenter, Ellis, Ellison, Gorrell, Healy, Lehfeldt, Mitchell, Rikken, Trewin—12.

So the bill passed and the title was agreed to.

On motion of Senator Everall House file No. 72, a bill for an act to provide for the publication of the annual proceedings of the Iowa State Dairy association, with report of Committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered and the report of the Committee adopted.

Senator Everall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Everall, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Ranck, Rowen, Sargent, Upton, Waterman, Young—35.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Byers, Carpenter, Ellis, Ellison, Ericson, Funk, Gorrell, Hipwell, Lehfeldt, Mitchell, Pusey, Rikken, Trewin—15.

So the bill passed and the title was agreed to.

On motion of Senator Harriman, House file No. 191, a bill for an act to authorize the executive council to sell and convey certain lands belonging to the State for the use of the State Agricultural Society, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Bonson offered the following amendment:

I move to amend by inserting in the third line of the bill the words "with the proceeds derived from the sale of any of the property above referred."

Adopted.

Senator Bonson moved to amend by inserting after the words "State treasury," in the last line of the bill, the words "for the use of the State."

Lost.

Senator Harriman moved that the bill be engrossed for third reading to-morrow.

Carried.

The Journal of Monday was taken up, read, corrected and approved.

Senate adjourned until 9 o'clock to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, March 25, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. C. B. Carlisle, of Winthrop, Iowa.

On request of Senator Rowen leave of absence was granted to Senator Riggen indefinitely.

On request of Senator Kilburn leave of absence was granted Senator Ellison until Thursday.

PETITIONS AND MEMORIALS.

Senator Harriman presented remonstrance of Hill Bros. and others against recommendation of Code Commission on foreign insurance companies.

Referred to Committee on Code Revision.

Senator Druet presented petition of C. H. Dunham and others in favor of Senate file No. 160, and asked that it be read. Withdrawn to present in lower house.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of John Jacobson against passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Trewin presented remonstrance of John Hannack and others on the same subject.

Referred to same committee.

Senator Trewin presented remonstrance of Iver Iverson and others on the same subject.

Referred to same committee.

Senator Trewin presented remonstrance of H. H. Fruechte and others on the same subject.

Referred to same committee.

Senator Upton presented petition of M. B. Doolittle and others relating to express companies.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Alexander, Senate file No. 424, a bill for an act to legalize the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances in 1895.

Read first and second time and referred to Committee on Judiciary.

By Senator Lothrop, Senate file No. 425, a bill for an act to amend section 902, Code of Iowa, limiting the time for bringing action on tax deeds.

Read first and second time and referred to Committee on Judiciary.

Senator Funk offered the following resolution, and moved its adoption:

Resolved, That a committee of three be appointed by the President of the Senate to ascertain and report as to the portions of the proposed Code agreed upon by the Senate, and by the several standing committees, and also as to the portions remaining for action in committee and upon the Senate floor, said committee to report at the earliest practicable moment.

Resolution objected to, and laid over under the rules.

HOUSE MESSAGES.

House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases, was read first and second time and referred to Committee on Code Revision.

House file No. 298, a bill for an act declaring express companies operating and doing business in this state common carriers, and providing for their regulation and control by the railroad commissioners, was read first and second time and referred to Committee on Railways.

House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishment, executions and supplementary proceedings, was read first and second time and referred to Committee on Code Revision.

House file No. 486, a bill for an act to legalize the incorporation, proceedings and ordinances passed by the incorporated town of Woolstock, Wright county, Iowa, was read first and second time.

Senator Rowen moved that bill No. 486 be taken up for consideration.

Senator Lothrop moved that the bill be referred to Committee on Judiciary.

Carried.

Senate file No. 387, a bill for an act to amend section 2 of chapter 17 of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds, was read first and second time and passed on file.

MESSAGE FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 489, a bill for an act legalizing the annexation of the city of Lyons to the city of Clinton, in Clinton county, State of Iowa, and all acts done and ordinances passed by the councils of the city of Clinton and city of Lyons in relation thereto.

House file No. 488, a bill for an act legalizing ordinances Nos. 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, of the city of Clinton, Clinton county, Iowa.

JAS. D. ROWEN,

Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 116, a bill for an act to amend sections 969, 975, 981, 987 and 990 of the Code, relative to meetings of trustees and settlement with road supervisors.

Senate file No. 66, a bill for an act to prevent blindness and for the care of infants afflicted by the same.

Senate file No. 375, a bill for an act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town since July 20, 1895.

JAS. D. ROWEN,

Chief Clerk

HOUSE MESSAGES.

House file No. 488, a bill for an act legalizing ordinances Nos. 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, of the city of Clinton, Clinton county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 489, a bill for an act legalizing the annexation of the city of Lyons to the city of Clinton, in Clinton county, State of Iowa, and all acts done and ordinances passed by the councils of the city of Clinton and city of Lyons in relation thereto, was read first and second time and referred to Committee on Judiciary.

Senate file No. 116, a bill for an act to amend sections 969, 975, 981, 987 and 990 of the Code, relative to meetings of trustees and settlement with road supervisors, was passed on file.

Senate file No. 66, a bill for an act to prevent blindness and for the care of infants afflicted by the same, was passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Waterman, from the Committee on Appropriations, submitted the following report.

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 230, a bill for an act to make an appropriation to the department of Iowa manufacturers of the Iowa State Agricultural society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 224, a bill for an act to provide for the publication of the bulletins of the Iowa State Experiment Station, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN.
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper and cigarette wrappers and providing penalties for the violation of the provisions thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file

No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896.

G. S. GILBERTSON,
Chairman Senate Committee
W. E. HAUGER,
Chairman House Committee

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 65, a bill for an act to prevent combinations between fire insurance companies and providing penalties therefor.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 162, a bill for an act to amend section 1433 of the Code, relating to care of the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be postponed for the reason that the subject matter has already been reported to the Senate in another bill.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 248, a bill for an act to amend section 2 and 3 of chapter 65 of the acts of the Twenty-fifth General Assembly, to fix the regular term of the additional supreme judge provided for in said act, and to extend the term of the present incumbent, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, and that it be substituted for Senate file No. 213, Calendar No. 48.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 17 and House file No. 108, bills for an act to amend chapter 85 of the laws of the Twenty-second General Assembly of the State of Iowa relative to aliens, beg leave to report that they have had the same

under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and when so adopted it do pass:

SUBSTITUTE FOR SENATE FILE NO. 17 AND HOUSE FILE NO. 108.

A bill for an act to repeal section one of chapter eighty-five of the acts of the Twenty-second General Assembly, as amended by chapter eighty-two of the acts of the Twenty-fifth General Assembly, relating to the rights of aliens and to enact the following in lieu thereof.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Section one (1) of chapter eighty-five (85) of the acts of the Twenty-second General Assembly, as amended by chapter eighty-two (82) of the acts of the Twenty-fifth General Assembly is hereby repealed, and the following enacted in lieu thereof:

SEC. 2. Non-resident aliens or incorporations incorporated under the laws of any foreign country, or corporations organized in this country, one-half of the stock of which is owned or controlled by non-resident aliens, are prohibited from acquiring title to or holding any real estate in this state, except as hereinafter provided, save that the widow and heirs and devisees being non-resident aliens of any alien or naturalized citizen who has acquired real estate in this state, may hold the same by devise, descent or distribution, for a period of ten years, and if at the end of that time, such real estate has not been sold to a bona fide purchaser for value, or such alien heirs have not become residents of this state, such land shall escheat to the state. *Provided*, that nothing in this act contained shall prevent aliens from having or acquiring property of any kind within the corporate limits of any city or town in the state, or any stock in any corporation for pecuniary profit, or from alienating or devising the same. The provisions of this chapter shall not affect the distribution of personal property. It shall be the duty of the county attorney in the counties in which such lands are situated to enforce forfeitures when such forfeitures provided for by this act shall have occurred.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 418, a bill for an act to legalize the incorporation of the town of Woolstock, Wright county, Iowa, and the acts and ordinances passed by said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word “passed” in third line of original bill after the word “town”; by striking out the words “acts and” in second line of same; by adding after the word “incorporation,” in third line thereof, the words, “not in conflict with the laws of the state.” That the title be amended by striking out the words “and the acts” in the title of the bill, and when so amended it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Senator Phelps, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint resolution No. 13, a joint resolution proposing an amendment to the constitution of Iowa in relation to elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JULIAN PHELPS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint resolution No. 16, a joint resolution proposing an amendment to the state constitution in relation to the method of voting, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JULIAN PHELPS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint resolution No. 10, a joint resolution proposing an amendment to the state constitution in relation to qualification for members of the general assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

JULIAN PHELPS,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 365, a bill for an act to amend section 430 of the Code, relating to the annexation of contiguous territory by cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that the subject matter thereof is provided for in the proposed Code.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 350, a bill for an act to authorize cities to license and tax transient merchants and peddlers, beg leave to report that they

have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 331, a bill for an act to authorize cities acting under special charter to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding after the word "charters" in the second line thereof, the following, "having a population of 35,000, or over, by any authorized census or enumeration," and that when so amended it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 361, a bill for an act to amend section 2 of chapter 11 of the acts of the Twenty-second General Assembly, and to provide that cities and towns may supply water, gas and electric lights and power to inhabitants thereof for a reasonable compensation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended so the title reads as follows: "A bill for an act to amend section 2 of chapter 11 of the acts of the Twenty-second General Assembly, and to give additional powers to cities and towns;" and that there be stricken from section 1, in line 1 thereof, the figures "2" and "11;" and that in line 2 of said section, the figures and letters "22nd" be stricken out, and the words "twenty-second" be inserted in lieu thereof, and that when so amended it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Blanchard, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred substitute for Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness, or vehicle, and providing punishment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass.

A BILL

For an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. If any person maliciously, wilfully and feloniously cut, break, sever, or unfasten any tug, strap, line, or other part of any harness attached to any horse or team, or maliciously and feloniously remove, break, unfasten or injure any part of any vehicle, he shall be imprisoned in the penitentiary not to exceed one year, or be imprisoned in the county jail not to exceed six months, or be fined not to exceed five hundred dollars.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Young filed the following motion:

I move to reconsider the vote by which Senate file No. 244 was lost.

BILLS ON SECOND READING.

On motion of Senator Penrose, House file No. 92, a bill for an act to amend section 3 of chapter 134 of the acts of the Twenty-first General Assembly, to transfer Marshall county from the Eleventh to the Seventeenth judicial district, and to provide for another judge, was taken up and considered.

Senator Penrose moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Carney, Carpenter, Cheshire, Craig, Druet, Ellis, Ericson, Funk, Gilbertson, Hariman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Lehfelddt, Lothrop, Palmer, Penrose, Perrin, Pusey, Rowen, Sargent, Upton, Young—30.

The nays were:

Senators Bonson, Carroll, Downey, Everall, Garst, Gorrell, Harper, Hipwell, Hurst, Mitchell, Phelps, Ranck, Waterman—13.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellison, Kilburn, Rigger, Trewin—7.

So the bill passed and the title was agreed to.

On motion of Senator Palmer, House file No. 251, a bill for an act to create the Twentieth judicial district, etc., with the report of the committee without recommendation, was taken up and considered.

Senator Harper moved that the bill be indefinitely postponed.

The hour for the special order having arrived, Senator Harper moved that the special order be continued until the bill under consideration is disposed of.

Carried.

On the motion to indefinitely postpone, the yeas and nays were demanded.

On the question, "Shall the bill be indefinitely postponed?" the yeas were:

Senators Bonson, Carroll, Craig, Downey, Eaton, Everall, Garst, Gorrell, Harper, Harriman, Henderson, Hipwell, Hotchkiss, Hurst, Kilburn, Lothrop, Ranck, Waterman—18.

The nays were:

Senators Alexander, Allyn, Bell, Berry, Carney, Carpenter, Cheshire, Druet, Ellis, Ericson, Funk, Gilbertson, Healy, Hospers, Junkin, Lehfeldt, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rowen, Sargent, Trewin, Upton, Young—27.

Absent or not voting:

Senators Blanchard, Byers, Ellison, Hobart, Rikken—5.

So the motion to indefinitely postpone was lost.

Senator Harper offered to amend section 1 by striking out the words "Des Moines" in the first line of section 1 thereof.

Lost.

Senator Palmer moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Carney, Carpenter, Cheshire, Druet, Ellis, Ericson, Funk, Gilbertson, Healy, Hospers, Junkin, Lehfeldt, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rowen, Sargent, Trewin, Upton, Young—27.

The nays were:

Senators Bonson, Byers, Carroll, Craig, Downey, Eaton, Everall, Garst, Gorrell, Harper, Harriman, Henderson, Hipwell, Hotchkiss, Hurst, Kilburn, Lothrop, Ranck, Waterman—19.

Absent or not voting:

Senators Blanchard, Ellison, Hobart and Rikken—4.

So the bill passed and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 383, a bill for an act amending chapter 2 of title x of the Code of 1873, relating to drainage and levees.

House file No. 475, a bill for an act to provide for a uniform policy of fire insurance, to be known as the Standard Policy of Fire Insurance Companies.

JAMES D. ROWEN,
Chief Clerk.

Senator Ellis moved that special order for Thursday, substitute for Senate file Nos. 8, 203 and 384 be continued and made a special order for Tuesday, March 31, at 10:30 A. M.

Carried.

Senator Ellis moved to recall House file No. 162 and have it recommitted to Committee on Judiciary for amendment.

Carried.

SPECIAL ORDER.

Senate file No. 393, a bill for an act to repeal chapter seventy of the acts of the Twenty-fifth General Assembly and to provide for the selecting and drawing of jurors, with the report of the committee recommending a substitute, and that when the same is adopted the bill do pass, was taken up and considered.

Senator Trewin offered to amend section 8 by striking out the word "three" in line 3 and insert the word "four."

Adopted.

Senator Carroll offered to amend section 8 by striking out the words "and the township adjoining thereto."

Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met at 2 o'clock, pursuant to adjournment, President Parrott presiding.

The Senate resumed consideration of the amendment by Senator Carroll to section 8, Senate file No. 393.

Senator Trewin offered the following amendment to the amendment:

Insert after the word "township," in line 8, the words "or townships in which the city or town," and after the word "held," in line 9, the words "is located;" and strike out the words in line 9, "and the township adjoining thereto."

On this a division was called for, and the amendment to the amendment prevailed.

On the amendment as amended a division was called for, and the amendment as amended was lost.

Senator Healy offered the following amendment to section 8:

Strike out the words "adjoining thereto" in line 9, and also the letter "s" from the word "townships" in the same line, and insert "nearest the court house where drawing takes place."

Adopted.

Senator Cheshire offered the following amendment to section 8 as amended:

Insert after the word "place" in the ninth and tenth lines, the following words: "The court, in its discretion, may order the names of one or more persons drawn, as talesmen, and the officer summoning them shall place in the venire the names of those drawn, and when any person so drawn is not found within the prescribed territory, another name shall be drawn in his place."

Adopted.

Senator Trewin offered the following amendment to section 8.

Strike out of line ten the words "order the sheriff to fill the panel from the bystanders or."

Adopted.

Senator Waterman presiding.

Senator Cheshire offered the following amendment to section 9.

Strike out the words "adjoining thereto," also the letter "s" from the word "townships" in line five, and insert in lieu thereof the words "nearest the court house."

Adopted.

Senator Carroll offered the following amendment to section 9.

Add to section 9 "in proportion to the number of votes polled in each at the last general election."

Adopted

President Parrott presiding.

BILLS ON SECOND READING.

On motion of Senator Ellis, House file No. 489, a bill for an act legalizing the annexation of the city of Lyons to the city

of Clinton, in Clinton county, State of Iowa, and all acts done and ordinances passed by the councils of the city of Clinton and city of Lyons in relation thereto, was taken up.

The bill was read for information.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Carpenter, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Phelps, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—36.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Eaton, Ellison, Everall, Funk, Garst, Harper, Hipwell, Hurst, Kilburn, Lehfeldt, Perrin, Pusey, Rikken—14.

So the bill passed and its title was agreed to.

On motion of Senator Ellis, House file No. 488, a bill for an act legalizing ordinances Nos. 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324 and 325 of the city of Clinton, Clinton county, Iowa, was taken up for consideration.

The bill was read for information.

Senator Ellis moved to amend the bill by striking out section 2, and inserting in lieu thereof the following:

Provided, that nothing herein contained shall in any manner affect any ordinances or proceedings of said city council, relating to paving any of the streets of said cities or issuing bonds therefor or affect in any manner any pending litigation.

Adopted.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Bonson, Byers, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Ranck, Sargent, Trewin, Upton, Waterman, Young—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Berry, Blanchard, Carroll, Eaton, Ellison, Everall, Funk, Garst, Harper, Harriman, Hipwell, Kilburn, Lehfeldt, Perrin, Phelps, Pusey, Rigger, Rowen—19.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Hotchkiss, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 235, a bill for an act punishing the crime of unlawfully breaking and entering a railroad or express car, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate that they find the same correctly engrossed.

A. C. HOTCHKISS,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred House file No. 191, a bill for an act to authorize the sale and purchase of certain lands for the Iowa State Agricultural society, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate that they find the same correctly engrossed.

A. C. HOTCHKISS,
Acting Chairman.

Ordered passed on file.

Senator Penrose moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, March 26, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. G. F. Assiter, of Riceville, Iowa.

PETITIONS AND MEMORIALS.

Senator Hospers presented petition of Roma N. Woods and others, relating to equal suffrage, and asked that it be read.

Referred to Committee on Constitutional Amendments.

Senator Bonson presented petition of E. H. Smith and others, asking an appropriation to reimburse parties who contributed to the World's Fair at New Orleans.

Referred to Committee on Claims.

Senator Funk presented remonstrance of E. E. Hughes and others against proposed change in the railway laws.

Referred to Committee on Railways.

Senator Funk for Senator Ellis, presented petition of Milo Smith and others relative to New Orleans World's Fair.

Referred to Committee on Claims.

Senator Healy presented remonstrance of E. W. McFadden and others against proposed railway laws.

Referred to Committee on Railways.

Senator Trewin presented remonstrance of D. D. Hixon and others against the passage of Senate file No. 160.

Referred to Committee on Schools.

Senator Ellison presented petition of the Linn county bar, relative to the jury law under discussion, and asked that it be read.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Perrin, Senate file No. 426, a bill for an act to empower judges of the district and supreme court to limit the

time to be consumed in argument by attorneys in trial of cases.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Perrin, Senate file No. 427, a bill for an act to repeal sub-division one of section 2844, Code of Iowa, and enact a substitute therefor.

Read first and second time and referred to Committee on Judiciary.

By Senator Upton, Senate file No. 428, a bill for an act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.

Read first and second time and referred to Committee on Senatorial and Representative Districts.

By Senator Rigger, Senate file No. 429, a bill for an act providing for the appointment and salary of a secretary and treasurer of the commissioners of pharmacy, prescribing his duties, providing for his giving bond, and for the inspection by the Governor of the books and accounts of the commission.

Read first and second time and referred to Committee on Pharmacy.

On request of Senator Craig leave of absence was granted Senator Penrose until Tuesday.

On request of Senator Funk leave of absence was granted Senator Ellis until Tuesday.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Substitute for House file No. 378, a bill for an act defining building and loan or savings and loan associations, and providing for their organization, regulation, examination and control and providing a penalty for the violation of such regulations, and repealing acts and parts of acts inconsistent with this act.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

CONCURRENT RESOLUTION.

WHEREAS, We have read the analyses and expense of the employes of the insane at Independence on the difference in quality of Iowa and

Illinois coal, and that there is a difference in favor of Iowa coal; therefore, be it

Resolved by the House, the Senate concurring, That we advise the trustees of the insane at Independence and all state institutions to, as far as possible, use Iowa coal. That we further recommend them to use, as far as possible in their institution, Iowa manufactured articles, and on supplies of all kinds, where quality and price is the same, to give Iowa merchants the preference.

JAMES D. ROWEN,
Chief Clerk.

Senator Funk called up resolution relative to appointment of committee to ascertain amount of Code work done.

Resolution adopted.

Senator Henderson called up concurrent resolution relative to adjournment.

Senator Carroll moved that the concurrent resolution be laid on the table.

Carried.

HOUSE MESSAGES.

Concurrent resolution relative to use of Iowa coal in the different state institutions.

Senator Garst moved that the resolution be concurred in.

Carried.

House file No. 383, a bill for an act amending chapter 2, title 10 of the Code of 1873, relating to drainage and levees.

Senator Harper moved that the bill be substituted for Senate file No. 357, a bill for an act to amend chapter 2, title 10 of the Code of 1873, relating to drainage and levees.

Carried.

The bill was read for information.

Senator Druet offered to amend by striking out the words "McClain's Code" and insert the words "Code of Iowa" in lieu thereof.

Adopted.

Senator Harper moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton—39.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Ellis, Ellison, Gorrell, Hipwell, Lehfeldt, Mitchell, Penrose, Trewin, Waterman, Young—11.

So the bill passed and the title was agreed to.

Senator Druet moved to reconsider the vote by which concurrent resolution relative to purchase of supplies for state institutions was concurred in.

On this a division was called for, and the motion prevailed.

Senator Druet offered the following amendment to the concurrent resolution: "That the trustees of the several state institutions be instructed, when practicable, to purchase supplies from other state institutions."

Adopted.

Senator Cheshire offered the following amendment to the concurrent resolution:

Resolved further, That the trustees of state institutions shall give preference to Iowa manufacturers and jobbers in furnishing all supplies when the Iowa product or the supplies of Iowa jobbers are equally as good and offered at as low a price as the product or supplies of the foreign jobbers. In determining the price, freight charges shall be taken into consideration.

Senator Cheshire moved that the concurrent resolution and amendment be referred to Committee on Judiciary, with instruction to report a bill or resolution to-morrow.

Senator Trewin moved to amend the motion by striking out "Committee on Judiciary" and inserting in lieu thereof "Committee on Charitable Institutions."

Adopted

Senator Cheshire moved to reconsider the vote by which the amendment was adopted.

Carried.

The original motion prevailed.

Senator Craig moved that special order, Senate file No. 423, be continued as special order until to-morrow at 10:30 A. M.

Carried.

Substitute for House file No. 378, a bill for an act defining building and loan or savings and loan associations, and providing for their organization, regulation, examination and control, and providing a penalty for the violation of such regulations, and repealing acts and parts of acts inconsistent with this act, was read for information.

Senator Eaton moved that the Senate concur in House amendment to the substitute.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Berry, Blanchard, Bonson, Ellis, Ellison, Lehfeldt, Penrose, Pusey, Ranck, Young—10.

So the amendment was concurred in.

House file No. 475, a bill for an act to provide for a uniform policy of fire insurance, to be known as the Standard Policy of Fire Insurance Companies, was read first and second time, and on motion by Senator Harper was referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 377, a bill for an act to amend section 6 of chapter 43, acts of the Twenty-third General Assembly, relating to vagrants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended so as to read as follows, and that when so amended it do pass:

A BILL

For an act to amend section 6 of chapter 43, acts of the Twenty-third General Assembly, relating to vagrants.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 6 of chapter 43, acts of the Twenty-third General Assembly, be amended by striking out of said section, after the words "for all service," the words "except making arrest," and insert in place thereof the words "including witness fees to the officers making the arrest," also after the words "allowed by law" strike out all the remainder of said section as follows: "and for making arrest the same fee as now allowed for similar service in other cases."

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Perrin, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred House file No. 325, a bill for an act to amend chapter 62 of the acts of the Twenty-fifth General Assembly, entitled an act to tax the traffic in intoxicating liquors and to regulate and control the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. B. PERRIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 382, a bill for an act to amend section 1634 of the Code of 1873, relating to the adoption of children at the Soldiers' Orphans' home at Davenport, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 194, a bill for an act entitled an act to increase the support fund of the boys' department of the Iowa industrial school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass:

That the title be amended by substituting the following therefor:

A BILL

For an act to provide the support fund of the boys' department of the Iowa Industrial School, and to repeal section 1, chapter 21, of the acts of the Fifteenth General Assembly, as amended by section 1, chapter 97, of the acts of the Seventeenth General Assembly.

That section 2 be amended by substituting the following therefor:

SEC. 2. That section 1 of chapter 21 of the acts of the Fifteenth General Assembly, as amended by section 1, chapter 97, acts of the Seventeenth General Assembly, is hereby repealed.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 375,

a bill for an act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town since July 20, 1895.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 387, a bill for an act to amend section 2 of chapter 17 of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporate town of Williamsburg, in Iowa county, State of Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 116, a bill for an act to amend sections 969, 975, 981, 987 and 996, of the Code, relative to the meeting of township trustees for settlement with road supervisors.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 66, a bill for an act to prevent blindness, and for the care of infants affected with disease of the eyes, and to provide a penalty for the violation thereof.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Resolved by the House, the Senate Concurring, That the Twenty-sixth General Assembly shall complete and adopt the Code revision at the regular session, and before adjournment.

JAS. D. ROWEN,
Chief Clerk.

Senate resumed consideration of special order, Senate file No. 393, under consideration when Senate adjourned yesterday.

Senator Pusey offered the following motion:

I move to refer the proposed jury law back to the Judiciary Committee.

Senator Trewin moved to amend the motion by striking out the word "Judiciary" and inserting the words "Code Revision" in lieu thereof.

Senator Phelps moved the previous question.

On the question, "Shall the main question be put?" the motion prevailed.

On the amendment to the motion a division was called for and the amendment was lost.

The question recurring on the original motion, the motion prevailed.

Senator Cheshire moved that the bill retain its place on the Calendar.

Carried.

BILLS ON THIRD READING.

On motion of Senator Waterman Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car, was taken up and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Funk, Harper, Hobart, Hurst, Junkin, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Waterman, Young—28.

The nays were:

Senators Allyn, Berry, Bonson, Everall, Garst, Gilbertson, Gorrell, Healy, Henderson, Hospers, Hotchkiss, Kilburn—12.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellis, Harriman, Hipwell, Lehfeldt, Penrose, Ranck, Upton—10.

So the bill passed and the title was agreed to.

On motion of Senator Harriman, House file No. 191, a bill for an act to authorize the executive council to sell and convey certain lands belonging to the State for the use of the State Agricultural society, was taken up and the bill read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellis, Lehfeldt, Penrose—6.

So the bill passed and its title was agreed to.

BILLS ON SECOND READING.

On motion of Senator Druet, Senate file No. 144, a bill for an act to repeal section 5342 of McClain's Code, and to provide a substitute therefor with report of Committee recommending substitute, was taken up, considered, and the report of the committee adopted.

Senator Druet moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—36.

The nays were:

Senators Bonson, Ellison, Healy, Hurst—4.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellis, Gilbertson, Hipwell, Lehfeldt, Mitchell, Penrose, Ranck—10.

So the bill passed and the title was agreed to.

On motion of Senator Cheshire, Senate file No. 213, a bill for an act to amend sections 2 and 3 of chapter 69 of the acts of the Twenty-fifth General Assembly, to fix the regular term of the additional supreme judge provided for in said act, and to extend the term of the present incumbent, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that House file No. 248 be substituted for Senate file No. 213.

Carried.

Senator Bonson moved that time of adjournment be extended until the bill is disposed of.

Carried.

Bill read for information.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Carney Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

None:

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellis, Hospers, Lehfeldt, Penrose—7.

So the bill passed and its title was agreed to.

The President announced the following as committee called for under the Funk resolution: Senators Funk, Carpenter, Cheshire.

The Journals of Tuesday and Wednesday were taken up, read, corrected and approved.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, March 27, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. N. G. Brown, of Frank Pierce, Iowa.

On request of Senator Druet leave of absence was granted Senator Eaton indefinitely.

On request leave of absence was granted Senator Everall until Tuesday.

PETITIONS AND MEMORIALS.

Senator Ranck presented petition of N. B. Holbrook and others in relation to New Orleans exposition, and asked to have it read.

Referred to Committee on Claims.

Senator Carney presented remonstrance of Jared Elliott and others against change in the railway laws.

Referred to Committee on Railways.

Senator Bonson presented remonstrance of L. L. Couse and others on same subject.

Referred to same committee.

Senator Rowen presented petition of E. A. Howland and others to reimburse the citizens who contributed to the World's Fair at New Orleans.

Referred to Committee on Claims.

Senator Cheshire presented forty-two remonstrances of P. B. Durley and eight hundred and thirty-five others against passage of Senate file No. 406.

Referred to Committee on Cities and Towns.

INTRODUCTION OF BILLS.

By Senator Gorrell, Senate file No. 430, a bill for an act to legalize the action of the board of directors of the district township of Poweshiek, in Jasper county.

Read first and second time and referred to Committee on Judiciary.

By Judiciary Committee, Senate file No. 431, a bill for an act to regulate the purchase of materials, articles and supplies for State institutions.

Read first and second time and ordered placed on the Calendar.

Senator Carney moved that special order, Senate file No. 423, be continued as a special order until Wednesday, April 1st at 10:30 A. M., and that three hundred copies of substitute be ordered printed.

Carried.

HOUSE MESSAGES.

Concurrent resolution relative to adjournment was taken up and passed on file.

BILLS ON SECOND READING.

On motion of Senator Alexander, Senate file No. 210, a bill for an act relating to the making of claims and bringing suits against municipal corporations, including cities organized under special charters, for damages resulting from unsafe condition of highways or bridges therein, with report of committee recommending a substitute, and that when adopted the bill do pass, was taken up, considered, and the report of the committee adopted

Senator Bonson offered the following amendment:

SEC. 2. All the provisions of this act shall be applicable to all cities in this state now organized under special charter.

Lost.

Senator Harriman moved to amend by striking out the word "thirty" in the last line of the bill and insert the word "sixty" in lieu thereof.

Adopted.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper,

Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Palmer, Perrin, Pusey, Rigger, Rowen, Sargent, Waterman, Young—36.

The nays were:

Senators Bell, Hurst, Mitchell, Phelps, Ranck, Upton—6.

Absent or not voting:

Senators Blanchard, Eaton, Ellis, Healy, Junkin, Lehfeldt, Penrose, Trewin—8.

So the bill passed and its title was agreed to.

On motion of Senator Young, Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa for making the exhibit of Iowa at the World's Exposition in New Orleans, with report of Committee recommending certain amendments, and that when so amended the bill do pass, was taken up.

Senator Funk moved that the bill be referred to Committee on Appropriations.

Lost.

The report of the committee was adopted.

Senator Young moved to amend the bill by striking out the numerals wherever they appear in sections Nos. one and three.

Adopted.

Senator Young moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—36.

The nays were:

Senators Everall, Funk, Garst, Kilburn, Mitchell—5

Absent or not voting:

Senators Blanchard, Eaton, Ellis, Hotchkiss, Hurst, Junkin, Lehfeldt, Waterman, Penrose—9.

So the bill passed and the title was agreed to.

On motion of Senator Lothrop House file No. 274, a bill for an act to provide for holding terms of the district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the state of Iowa, defining the territorial jurisdiction

of said court, restricting that of the corresponding court, to be held at Sioux City, in said county of Woodbury, with report of committee, by its majority, recommending that it be concurred in, and by its minority that it be not concurred in, was taken up.

Senator Lothrop moved that the minority report be substituted for the majority.

President *pro tem* Funk presiding.

On this the yeas and nays were demanded.

On the question, "Shall the minority report be substituted for the majority?" the yeas were:

Senators Alexander, Berry, Byers, Carney, Carroll, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gorrell, Harper, Hipwell, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Phelps, Pusey, Ranck, Rowen, Trewin, Waterman—27.

The nays were:

Senators Carpenter, Druet, Ellison, Gilbertson, Healy, Hobart, Perrin, Sargent, Upton, Young—10.

Absent or not voting:

Senators Allyn, Bell, Blanchard, Bonson, Eaton, Ellis, Hariman, Henderson, Junkin, Lehfeldt, Palmer, Penrose, Rigger—13.

So the minority report was substituted for the majority.

Senator Lothrop moved that the minority report of committee be adopted.

Carried.

On motion of Senator Rigger, Senate file No. 226, by Rigger, a bill for an act to amend chapter 71, acts of the Twenty-second General Assembly, relating to the sale of liquors by pharmacists, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up and considered.

Senator Rigger moved that House file No. 243 be substituted for this bill.

Carried.

Report of committee was adopted and the substitute read.

Senator Rigger moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be the third reading, which motion prevailed.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Carney, Carroll, Cheshire, Craig, Druet, Ellison, Ericson, Funk, Gilbertson, Gorrell, Harriman, Hipwell, Hospers, Hotchkiss, Hurst, Kilburn, Mitchell, Palmer, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—30.

The nays were:

Senators Carpenter, Hobart, Lothrop—3.

Absent or not voting:

Senators Bell, Blanchard, Bonson, Byers, Downey, Eaton, Ellis, Everall, Garst, Harper, Healy, Henderson, Junkin, Lehfeldt, Penrose, Ranck, Young—17.

So the bill passed and its title was agreed to.

On motion of Senator Rowen, House file No. 194, a bill for an act entitled an act to increase the support fund of the boys' department of the Iowa Industrial school, with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Rowen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

The nays were :

None.

Absent or not voting :

Senators Alexander, Bell, Blanchard, Carpenter, Eaton, Ellis, Henderson, Junkin, Lehfeldt, Pusey, Penrose—11.

So the bill passed and its title was agreed to.

President Parrott presiding.

On motion of Senator Rigger Senate file No. 177, a bill for an act empowering cities and towns having water supply and public sewers to regulate plumbing connecting with said sewers, with report of committee recommending a substitute, and that when such substitute is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Rikken moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Druet, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Hobart, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Waterman, Young—35.

The nays were:

None.

Absent or not voting:

Senators Bell, Berry, Blanchard, Carney, Downey, Eaton, Ellis, Ericson, Henderson, Hipwell, Hospers, Junkin, Lehfeldt, Penrose, Upton—15.

So the bill passed and its title was agreed to.

On motion of Senator Downey, House file No. 174, and Senate file No. 202, bills for an act to amend section 1395 of the Code of 1873, in relation to commissioners of insanity, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Downey moved that the bill be engrossed for third reading, which motion prevailed.

REPORTS OF STANDING COMMITTEES.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 160, a bill for an act to revise, amend and codify the laws in relation to the system of common schools, and to provide for a simple form of district organization; also defining the powers and duties of boards of directors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a substitute, with the recommendation that the substitute do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin asked that 500 copies of the substitute be ordered printed.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 319, a bill for an act to pay the expenses of J. W. Cliff, contestant for the office of Secretary of the Senate of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out "five hundred" in line 3 of section 1 and insert in lieu thereof "four hundred and twenty," and that when so amended it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House concurrent resolution, relative to State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill do pass as a substitute therefor:

A BILL

For an act regulating the purchase of materials, articles and supplies for State institutions.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That all purchases and contracts for supplies for any of the departments and public institutions of the state, where public exigencies do not require the immediate delivery of the articles, shall not be made until after advertising for sealed bids therefor.

SEC. 2. At least one month before the first day of January, April, July and October, in each year, the executive council shall determine what supplies are necessary for three months for each of the State institutions.

SEC. 3. The superintendents, wardens and trustees of the State institutions shall furnish the executive council with a detailed statement of the supplies needed for the several institutions.

SEC. 4. The executive council shall, at least ten days before the first day of January, April, July and October in each year, advertise for sealed proposals for all articles and supplies needed for the several institutions, in one or more newspapers of general circulation in the State, and in such advertisement shall designate clearly the quantity, kind and quality of articles or supplies to be furnished to each State institution separately.

SEC. 5. The executive council shall have authority to make such rules and regulations in reference to the reception of bids as they may deem proper.

SEC. 6. They shall award the contract for articles and supplies to the lowest responsible bidder. When an Iowa bidder offers to furnish articles or supplies of equal quality and at as low a price as bidders outside the State, the contract shall be awarded to the resident bidder. In determining this matter the executive council shall take into consideration the difference in the cost of transportation, if any, and any other fact or circumstance in favor of the resident bidder.

SEC. 7. When any building materials are needed for the erection or repair of any State institution, involving an expenditure of five hundred dollars or over, it shall be the duty of the board, commission, trustees, superintendent, warden or other person having the same in charge, to advertise for sealed proposals therefor as hereinbefore provided. The contract shall be awarded to the lowest responsible bidder. When an Iowa bidder offers to furnish materials of equal quality and at as low a price as bidders outside the State, the contract shall be awarded to the resident bidder. In determining this matter the difference in cost of transportation shall be considered.

SEC. 8. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Senator Rowen offered the following:

I file a motion to reconsider the vote by which the minority report on House file No. 274 was passed.

J. E. ROWEN.

Senator Henderson submitted the following:

I wish the Journal to show that had I been present when Senate File No. 226 was under consideration I would have voted yea.

G. W. HENDERSON.

The Journal of Thursday was taken up, read, corrected and approved.

Senator Healy moved that when the Senate adjourn it be until to-morrow at 9 o'clock A. M.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, March 28, 1896 }

Senate met in regular session at 9 o'clock A. M. President Parrott presiding.

Prayer was offered by Rev. J. W. Neeley, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Cheshire presented petition of W. L. Sims and 1,700 others in favor of Senate file No. 406.

Referred to Committee on Cities and Towns.

Senator Ellison presented remonstrance of J. N. Ramsey and eleven others against passage of House file No. 306.

Referred to Committee on Railways.

Senator Ericson presented remonstrance of the Federated Railroad orders of Boone, Iowa, against the passage of House file No. 297, and asked that it be read.

Referred to Committee on Labor.

Senator Carney presented remonstrance of L. L. Brown and others against proposed change in railway laws.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Berry, Senate file No. 432, a bill for an act to require boards of school directors to fence school house sites.

Read first and second time and referred to the Committee on Schools.

REPORTS OF STANDING COMMITTEES.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom were referred the application for pardon of Geo. A. Trout, confined in the penitentiary for murder, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be granted.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application for pardon of William Slowey, a life convict confined in the penitentiary for the crime of murder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the pardon be granted.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 375, a bill for an act to legalize the incorporation of the town of New Vienna, Dubuque, county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town since July 20, 1895.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGEN,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 387, a bill for an act to amend section 2 of chapter 17 of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporate town of Williamsburg, in Iowa county, State of Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No 116, a bill for an act to amend sections 969, 975, 981, 987 and 996 of the Code, relative to the meeting of township trustees for settlement with road supervisors.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No 66, a bill for an act to prevent blindness, and for the care of infants affected with disease of the eyes, and to provide a penalty for the violation thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Senator Hobart, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 221, a bill for an act to amend section 3806 of the Code of Iowa in relation to the payment of costs in criminal proceedings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Judiciary.

A. C. HOBART,
Chairman.

So referred.

Senator Druet, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 293, a bill for an act to provide for the better protection of life and property by the inspection of all traction, portable and semi-portable steam boilers used in this State for the purpose of threshing grain and grass seeds, shelling corn and grinding feed, sawing wood and lumber, and providing for the licensing of engineers of such steam boilers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

S. DRUET,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 162, a bill for an act to amend section 1433 of the Code, relating to care of the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of section 1 the words "and amendments thereto" and inserting in lieu thereof the words "as amended by chapter 179 of the acts of the Twelfth General Assembly and chapter 26 of the acts of the Fifteenth General Assembly," and that the title be amended in the same manner, and when so amended it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 378, a bill for an act to amend section 2276 of the Code as amended by chapter 70 of the laws of the Twenty-second General Assembly authorizing guardians of insane persons to mortgage the real estate of their wards, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Senator Berry, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred House file No. 186, a bill for an act to extend the privileges of free public libraries to towns, villages and townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. H. BERRY,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 408, a bill for an act relating to wires, electrical apparatus and appliances in the State of Iowa, for the prevention of fires and loss of life and property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 189, a bill for an act relative to farmers' and citizens' voluntary associations for the purpose of insuring live stock and declaring an emergency, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 262, a bill for an act to amend section 1132 of the Code of Iowa, in relation to insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by the accompanying substitute, and that as so amended it do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 355, a bill for an act to amend section 1144 of the Code of 1873, as amended by chapter 55 of the acts of the Fifteenth General Assembly, and chapter 66 of the acts of the Sixteenth General Assembly, and chapter 145 of the acts of the Twenty-first General Assembly, and relating to foreign insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the committee will consider it in connection with the proper section of the Code revision.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Rowen was granted leave to withdraw motion to reconsider the vote by which the minority report was submitted for majority report on House file No. 274.

Senator Pusey moved that Senate file No. 159 be made a special order for Thursday, April 2, at 10:30 o'clock A. M.

Carried.

Senator Trewin moved that 200 copies of Senate file No. 159 be printed as amended.

Carried.

REPORT OF SPECIAL COMMITTEE ON CODE.

Senator Funk, from special committee to ascertain the amount of work done on the Code, presented the following report:

MR. PRESIDENT—Your committee appointed for the purpose of ascertaining the condition of the work on the proposed Code respectfully submit the following:

First. Personal interviews with the Chairmen of the several standing committees bring us to the conclusion that the Code work on the part of said committees is approximately one-half done.

Second. Divisions of the proposed Code covering 36 pages have passed the Senate.

Respectfully submitted.

A. B. FUNK,
C. A. CARPENTER,
THOS. A. CHESHIRE,
Committee.

Senator Healey moved that Committee on Judiciary be instructed to report the insurance bill now before them so that it can be placed on the Calendar by Thursday.

Carried.

On request of Senator Harper leave of absence was granted Senator Hipwell until Tuesday.

On request of Senator Lothrop leave of absence was granted Senator Craig until Tuesday.

On request of Senator Rowen leave of absence was granted Senator Rigger indefinitely.

BILLS ON SECOND READING.

On motion of Senator Mitchell, Senate file No. 5, a bill for an act to amend chapter 13, title 12 of the Code, in relation to State Library, and for an extension thereof, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Mitchell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Druet, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Phelps, Ranck, Rowen, Sargent, Waterman—29.

The nays were:

Senators Carpenter, Downey, Upton—3.

Absent or not voting:

Senators Alexander, Blanchard, Craig, Eaton, Ellis, Everall, Gorrell, Healy, Hipwell, Hurst, Lehfeldt, Palmer, Penrose, Perrin, Pusey, Rigger, Trewin, Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Bonson, Senate file No. 284, a bill for an act granting releasing to the city of Dubuque title to certain lands, with the report of the committee recommending that the same do pass, was taken up and House file No. 329 was substituted therefor.

The report of the committee was adopted.

The bill was read for information.

Senator Bonson offered the following amendment:

Insert in the title before the word "act" the words "a bill;" also strike out before the enacting clause the words "section 1" and insert the words "section 1" after the enacting clause.

Adopted.

Senator Bonson moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Ellison, Ericson, Funk, Garst, Gibertson, Harper, Harriman, Healy, Henderson, Hobart, Hotchkiss, Junkin, Kilburn, Palmer, Perrin, Phelps, Ranck, Sargent, Trewin, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Craig, Eaton, Ellis, Everall, Gorrell, Hipwell, Hospers, Hurst, Lehfeldt, Lothrop, Mitchell, Penrose, Pusey, Rigger, Rowen, Young—19.

So the bill passed and its title was agreed to.

On motion of Senator Trewin, House file No. 46, a bill for an act granting additional powers to cities of the second class and incorporated towns, relating to the construction of sewers, tile or drains, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Waterman—34.

The nays were:

None:

Absent or not voting:

Senators Allyn, Bell, Blanchard, Craig, Eaton, Ellis, Ellison, Everall, Gorrell, Hipwell, Hurst, Lohfeldt, Penrose, Rigger, Upton, Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Carney, Senate file No. 377, a bill for an act to amend section 6 of chapter 43 of the acts of the Twenty-third General Assembly, relating to vagrants, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Bill read for information.

Senator Cheshire offered the following amendment:

Strike out the words "including witness fees to the officers making the arrest," as printed in the Journal.

On this a division was called for, and the amendment lost.

Senator Carney moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Ericson, Funk, Garst, Gilbertson, Healy, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Sargent, Waterman—28.

The nays were:

Senators Harper, Harriman, Hobart, Ranck, Upton—5.

Absent or not voting:

Senators Blanchard, Carpenter, Craig, Eaton, Ellis, Ellison, Everall, Gorrell, Hipwell, Hurst, Lehfeldt, Mitchell, Penrose, Rigger, Rowen, Trewin, Young—17.

So the bill passed and its title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Substitute for Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations, and regulating the same.

Amended substitute for Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

Substitute for Senate file No. 24, a bill for an act requiring that juvenile and adult prisoners be kept apart.

Substitute for Senate file No. 204, a bill for an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly, relating to funding indebtedness of cities and towns.

Senate file No. 5, a bill for an act to amend chapter 13, title 12 of the Code in relation to the State Library and provide for the extension of the use thereof.

JAMES D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected the following bill, in which the concurrence of the House was asked:

Substitute for Senate substitute for Senate files Nos. 13, 54, 164, 169, 191 and 232, a bill for an act defining building and loan associations and providing for their organization, regulation, examination and control, and providing a penalty for the violation of said regulations, and repealing chapter 6, title ix of the Code of 1853, and acts amendatory thereto.

JAMES D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 355, a bill for an act defining bicycles and regulating their use.

House file No. 408, a bill for an act to amend section 3976 of the Code of Iowa, relative to assisting prisoners to escape.

JAMES D. ROWEN,
Chief Clerk

Senator Berry moved to take up House messages.
Carried.

HOUSE MESSAGES.

Substitute for Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations, and regulating the same, was passed on file.

Substitute for Senate file No. 24, a bill for an act requiring that juvenile prisoners be kept apart from older offenders, was passed on file.

Senate file No. 5, a bill for an act to amend chapter 13, title xii of the Code, in relation to State Library and to provide for an extension of the use thereof, was passed on file.

House file No. 408, a bill for an act to amend section 3956 of the Code of Iowa, relative to assisting prisoners to escape, was read first and second time and referred to Committee on Judiciary.

Substitute for Senate file No. 204, a bill for an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly, relating to funding indebtedness of cities and towns, was passed on file.

Substitute for Senate files Nos. 13, 54, 164, 169, 191, 232, a bill for an act defining building and loan associations and providing for their organization, regulation, examination and control, and providing a penalty for the violation of said regulations, and repealing chapter 6, title 9 of Code of 1873 and acts amendatory thereto, in which the House failed to concur, was passed on file.

House file No. 355, a bill for an act defining bicycles and regulating their use, was read first and second time and referred to Committee on Highways.

Amended substitute for Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully or feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

Senator Druet moved that the Senate concur in House amendment to the bill.

On the question, "Shall the House amendment be concurred in?" the yeas were:

Senators Alexander, Bell, Carroll, Druet, Hobart, Kilburn, Lothrop, Palmer, Perrin, Ranck, Sargent, Waterman—12.

The nays were:

Senators Allyn, Berry, Bonson, Byers, Carney, Cheshire, Downey, Ellison, Ericson, Funk, Garst, Gilbertson, Harper,

Harriman, Healy, Hotchkiss, Junkin, Pusey, Trewin, Upton—20.

Absent or not voting:

Senators Blanchard, Carpenter, Craig, Eaton, Ellis, Everall, Gorrell, Herderson, Hipwell, Hospers, Hurst, Lohfeldt, Mitchell, Penrose, Phelps, Rigger, Rowen, Young—18.

So the amendment was not concurred in.

The Journal of Friday was taken up, read, corrected and approved.

Senator Waterman moved to take up House concurrent resolution relative to completing revision of Code before adjournment.

Carried.

Senator Waterman offered the following substitute and asked that it be laid over:

Amend by striking out all after the words, "the Senate concurring"; and insert the following in lieu thereof:

That the Speaker of the House and the President of the Senate declare the House of Representatives and the Senate respectively adjourned at the hour of twelve o'clock, noon of April 9th, 1896, and that the same do stand adjourned, at and after that date, to meet in adjourned session, at the hour of ten o'clock A. M. of the second Tuesday of January, A. D. 1897, for the purpose of revising, amending, codifying and re-enacting the Code of Iowa.

That the Calendar be disposed of before adjournment, and that when the legislature convenes in January, 1897, nothing but revision of Code be considered in either house, except by unanimous consent.

BILLS ON SECOND READING.

On motion of Senator Cheshire, Senate file No. 431, a bill for an act regulating the purchase of material, articles and supplies for State institutions, with report of committee, was taken up, considered, and the report of the committee adopted.

Senator Cheshire offered the following amendment:

Insert the following as section 8:

SEC. 8. When the State owns the manufactured product of the inmates of any of its institutions, the whole, or that portion of such product as may be needed, shall be used and consumed by the State.

Adopted.

The bill was read for information.

Senator Carroll moved that the time of adjournment be extended until the bill under consideration is disposed of.

Carried.

Senator Mitchell moved to amend section 8 by adding the words "and the institution manufacturing the same shall be given credit for the same."

Adopted.

Senate adjourned until 9 o'clock A. M. Monday.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, March 30, 1896. }

Senate met in regular session at 9 o'clock A. M., Senator Funk, president *pro tem*, presiding.

Prayer was offered by Rev. C. C. Harrah, Newton, Iowa.

On request of Senator Hurst, leave of absence was granted Senator Hipwell until Tuesday.

On request of Senator Cheshire, leave of absence was granted Senator Blanchard until Tuesday.

On request of Senator Harriman, leave of absence was granted Senator Lothrop.

PETITIONS AND MEMORIALS.

Senator Funk presented remonstrance of Esther Lodge No. 352, B. of R. T. against passage of Senate file No. 297.

Referred to Committee on Railways.

Senator Funk presented two remonstrances of A. Rundgren and others against change in railway laws.

Referred to Committee on Railways.

Senator Trewin presented remonstrance of J. M. Lisher and others against change in railway laws.

Referred to Committee on Railways.

Senator Trewin presented remonstrance of George Cole and others against passage of House file No. 160.

Referred to Committee on Schools.

Senator Sargent presented remonstrance of C. Fowler and others against change in railway laws.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Committee on Schools, Senate file No. 433, a bill for an act to revise, amend and codify and re-enact the laws in relation to the school funds.

Read first and second time and placed on the Calendar.

By Committee on Schools, Senate file No. 434, a bill for an act to revise, amend and codify and re-enact the laws in relation to county high schools.

Read first and second time and placed on the Calendar.

By Committee on Schools, Senate file No. 435, a bill for an act to revise, amend and codify and re enact the law in relation to county superintendent.

Read first and second time and placed on the Calendar.

By Committee on Schools, Senate file No. 436, a bill for an act to revise, amend and codify the laws in relation to the uniformity and the purchase of text-books.

Read first and second time and placed on the Calendar.

By Committee on Schools, Senate file No. 437, a bill for an act to revise, amend and codify and re-enact the statutes in relation to the Superintendent of Public Instruction.

Read first and second time and placed on the Calendar.

By Committee on Schools, Senate file No. 438, a bill for an act to revise, amend and codify and re-enact the laws in relation to the Educational Board of Examiners.

Read first and second time and placed on the Calendar.

Three hundred copies of Senate file No. 438 ordered printed.

Three hundred copies of amendment to Senate files Nos. 433, 434, 435, 436, 437, 438 ordered printed.

By Senator Berry, Senate file No. 439, a bill for an act to make an appropriation for payment to members of the Code Commission of unpaid balances of their claims for services.

Read first and second time and referred to Committee on Claims.

By Senator Berry, Senate file No. 440, a bill for an act to appropriate money for payment to the clerk of the Code Commission of the unpaid balance of her claim for services.

Read first and second time and referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred House file No. 174, a bill for an act to amend section 1395 in relation to commission of insanity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the information that the same is found properly engrossed.

H. L. BYERS,
Chairman.

Ordered passed on file.

Senator Hotchkiss, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 404, a bill for an act to amend section 5479 of chapter 15 of McClain's Code relating to prosecution of publishers for libel, beg leave to report that they have had the same under consideration and have adopted a substitute therefor and have instructed me to report the same back to the Senate with the recommendation that the substitute do pass.

SUBSTITUTE FOR SENATE FILE NO. 404.

A bill for an act to amend section 5479 of chapter 15 of McClain's, relating to prosecution of publishers for libel.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Insert after the words of section 5479 of chapter 15 the following words:

But before any suit shall be brought for the publication of libel in any newspaper in the State, if the articles published and regarding which the suit for libel is commenced be news received by the regular channel of correspondence or telegraph, in such case the aggrieved party shall, at least ten days before filing or serving a complaint in such suit, serve notice on the publisher or publishers of said newspapers at the principal office of publication, specifying the statements in said articles which he, she or they may allege to be false or defamatory.

Such publisher or publishers may introduce on the trial evidence of good faith and misapprehension of facts regarding the publication of the article or articles complained of.

And where by competent evidence said publisher or publishers have established the fact of good faith and misapprehension of facts in the publication, they shall be permitted to make a full and fair retraction of the statement complained of in the next regular issue of such newspaper, or in case a daily paper, within ten days of the time of such mistake or such misapprehension of facts was brought to the attention of such publisher or publishers, said retraction to be as conspicuous in place and type as the article complained of libelous.

In case of such retraction the plaintiff shall recover only actual damages, provided that the provisions of this act shall not apply to the case of any libel against any candidate for public office in this state, unless the retraction of this charge is made editorially at least ten days before election, if the paper be a daily paper, and if the paper be a weekly paper at least twenty days before the election.

A. C. HOTCHKISS.

Chairman.

Passed on file.

Senator Hospers, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 53, a bill for an act to revise, amend and codify the statutes in

relation to banks and banking institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be amended as follows:

Strike off all marginal numbers used in numbering lines, all reference numbers and underlining.

Amend chapter 9, section 6, by striking out the word "all," in the second line, and inserting therefor the words "a majority."

Amend chapter 9, section 9, by inserting the words "paid up" after the word "of" in the seventh line.

Amend chapter 9, section 11, by striking out the words "policy of" in the seventeenth line and inserting after the word "insurance" in the same line the words "shall be made payable to the mortgagee as its interest may appear on the policy;" also insert the word "by" after the word "paid" in the nineteenth line.

Amend chapter 9, section 12, by striking out the word "which" in the fourth line and substituting therefor the words "or obtained by redemption as junior judgment creditors or mortgagees and property acquired as provided in this subdivision."

Amend chapter 9, section 16, by adding after the word "business" in the third line the words "and to pay obligations incurred for the purpose of obtaining money with which to pay deposits."

Amend chapter 11, section 3, by striking out the word "five" in the second line and inserting therefor the word "ten." Also, insert after the word "sum" in the third line the words "any violation of the provisions of this section shall be considered an impairment of the capital within the meaning of section 11 of this chapter."

Amend chapter 11, section 5, by inserting the words "of not less than two" after the word "committee" in the second line. Also, insert the word "directors" before the word "minute" in the third line.

Strike out all of section 6, chapter 11, and substitute the following:

"SEC. 6. All associations organized under the general incorporation laws of the state, for the purpose of transacting a banking business, buying or selling exchange, receiving deposits, discounting notes, etc., shall make a full, clear and accurate statement of the condition of the association as hereinafter provided, which shall be verified by the oath of the president or vice-president, cashier or assistant cashier, or secretary, and attested by the signatures of at least three of the directors, which statement shall contain:

First.—The amount of capital stock actually paid in, and then remaining as the capital of such association;

Second.—The amount of debts of every kind due to banks, bankers, or persons other than regular depositors;

Third.—The amount due depositors, including sight and time deposits;

Fourth.—The amount subject to be drawn at sight then remaining on deposit with solvent banks or bankers of the country, specifying each city and town and the amount deposited in each and belonging to such association;

Fifth.—The amount of gold and silver coin and bullion belonging to such association at the time of making the statement;

Sixth.—The amount then on hand of bills of solvent banks;

Seventh.—The amount of bills, notes, and other evidences of debt, discounted or purchased by such association, and then belonging to the same, specifying particularly the amount of suspended debts, the amount considered good, the amount considered doubtful, and the amount in suit or judgment;

Eighth.—The value of real or personal property held for the convenience of such association, specifying the amount of each;

Ninth.—The amount of the undivided profits, if any, then on hand;

Tenth.—The total amount of all liabilities to such association on the part of the directors thereof; which statement shall be forthwith transmitted to the auditor of state, and be by him filed in his office."

Amend chapter 11, section 7, by striking out the word "bank" in the second and sixth lines, and inserting in lieu thereof the word "association." Also insert after the word "daily," in the fourth line, the words "or weekly," and strike out all between the word "located" and the word "and," in the fifth line.

Amend chapter 11, section 10, by striking out the words "except national banks," and when so amended the bill do pass.

HENRY HOSPERS,
Chairman.

Senator Cheshire, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 424, a bill for an act legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances in 1895, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 311, a bill for an act to amend section 2276 of the Code as amended by chapter 70 of the laws of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 486, a bill for an act to legalize the incorporation proceedings and ordinances passed by the incorporated town of Woolstock, Wright county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with

the recommendation that the same be amended by adding at the close of section 1 the words "Provided, nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 181, a bill for an act to amend section 2613, of Code of Iowa relative to service of notice, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be not concurred in.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 430, a bill for an act to legalize the action of the board of directors of the district township of Poweshiek, in Jasper county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 416, a bill for an act to legalize conveyances of real property by executors and trustees under foreign wills, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 259, a bill for an act to repeal sections 1 and 5, of chapter 157, of the laws of the Twenty-first General Assembly of the State of Iowa, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. A. CHESHIRE,
Acting Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 405, a bill for an act to amend chapter 167, acts of the Nineteenth General Assembly as amended by chapter 22, acts of the Twenty-third General Assembly, and by chapter 36, acts of the Twenty-fifth General Assembly, providing for the issue of additional kinds of certificates and diplomas and directing more clearly the manner in which a certificate or a diploma may be revoked by the State educational board of examiners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed, for the reason that the substance thereof is incorporated into that portion of the Code relating to the State educational board of examiners.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 379, a bill for an act to amend section 1717 of the Code, as amended by the acts of the Nineteenth General Assembly, chapter 5, relating to powers of electors at the annual district township meeting, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 377, a bill for an act to amend chapter 167, acts of the Nineteenth General Assembly, as amended by chapter 22, acts of the Twenty-third General Assembly, and chapter 36, acts of the Twenty-fifth General Assembly, providing additional kinds of certificates and diplomas, and directing more clearly the manner of issuing certificates and diplomas by the State educational board of examiners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that the substance thereof is incorporated into that portion of the Code relating to the State educational board of examiners.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No 52, a bill for an act to revise, amend and codify the statutes in relation to education, beg leave to report that they have had the same

under consideration and have instructed me to report the same back to the Senate with the recommendation that committee substitute for Senate file No. 160 be substituted for chapter 14 thereof, relating to the system of common schools. That chapters 1, 2, 12, 13, 15 and 16 do pass as amended and that said chapters as amended be reported in the form of separate bills with appropriate titles, and that Senate file No. 52 be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 338, a bill for an act to amend section 1740 of the Code, relating to schools and employment of counsel by president of board of school directors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the subject matter thereof is contained in House file No. 396, reported back for passage.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 54, a bill for an act to authorize the directors of independent school districts to establish independent training departments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 396, a bill for an act to repeal section 1740 of the Code of Iowa, and to enact a substitute therefor relative to the duties of the president of school boards, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

AMENDMENTS

Adopted by the Committee on Schools to title 13 of the proposed Code:

CHAPTER I, PAGE 553.

Section 7, lines 3 and 4, strike out the words "two hundred and fifty" and insert the words "five hundred."

CHAPTER II, PAGE 535.

Strike out all of section 2 after the word "require" in line 13. Add section 3, as follows:

SEC. 3. It may also issue such certificates to graduates of any State normal school in the State possessed of like qualifications upon proof of thirty-six weeks successful experience in teaching, and a diploma when five years such experience is shown. It may also, at discretion, issue a certificate or a diploma to any one holding a diploma issued by a State normal school, or a certificate issued by a State superintendent or a State board of education of any other State when the same is in all respects of as high a grade as the corresponding certificate or diploma issued in Iowa, upon proof of experience as herein provided. It may also issue a certificate to any primary school teacher in the State of sufficient experience, and who shall pass such examination as the board may designate in branches and methods which pertain especially to that kind of work. Such certificate shall be known as a primary teacher's certificate and shall not be valid as a teacher's certificate for any other department. It shall keep a complete register of all persons to whom certificates and diplomas are issued.

Strike out section 3 and insert the following:

SEC. 4. A state certificate shall authorize the holder to teach in any public school in the state for five years thereafter and a diploma shall confer such authority for life, but any certificate or diploma may be revoked by the board for sufficient cause, or such cause as would, if known at the time, have prevented issuance thereof, provided the holder of such certificate or diploma shall have due notice and shall be allowed to be present and make his defense. For each certificate issued the applicant shall pay \$3, and for each diploma \$5, which may be required before the examination is commenced; if the applicant fails in the examination, and the fees have been advanced, one-half of the sum shall be returned, all money obtained from this source to be paid into the state treasury.

Change numbers of sections 4, 5 and 6 to 5, 6 and 7.

CHAPTER XII, PAGE 557.

Section 1, line 1, strike out the words "each county having a population of over twenty thousand" and insert the words "any county."

CHAPTER XIII, PAGE 559.

Section 2, line 7, insert after the word "last," the words "Friday and," and add to said section 2, the following:

"Such examination shall be held at the county seat, in a suitable room which shall be provided for that purpose by the board of supervisors. Special examinations may be held elsewhere in the county at the discretion of the county superintendent. Any school officer or other person may be present at any examination."

Section 3, strike out lines 1 and 2, and line 3 to the word "such."

Section 4, line 4, insert after the word "year" the following, "but to applicants passing an examination in the following additional branches: didactics, elementary algebra, the elements of physics, civil government of Iowa and elementary economics, a certificate shall issue for a term not to

exceed two years upon proof of thirty-six weeks successful experience in teaching."

Section 4, line 4, strike out the word "which" and insert the word "A."

Section 6, line 8, insert after the word "report," the words "as provided by law."

CHAPTER XV, PAGE 582.

Section 13, line 4, strike out the word "boods," and insert the word "books."

CHAPTER XVI, PAGE 585.

Section 1, line 8, strike out the word "interstate" and insert the word "intestate."

Section 2, line 5, strike out the word "auditor" and insert the word "treasurer."

Section 3, line 3, strike out the first word "in" and insert the word "into."

Section 4, line 10, strike out the word "auditor" and insert the word "treasurer."

Section 6, line 15, strike out the word "auditor" and insert the word "treasurer."

Section 12, line 1, strike out the word "his" and insert the word "the."

Section 12, line 2, insert after the word "hands" the words "of the county treasurer."

Section 13, line 9, insert after the word "and" the words "the treasurer shall."

Section 13, line 10, insert after the word "dollars" the words "to be paid to the auditor."

Strike out section 16, and insert the following:

Sec. 16. All payments to the school fund upon contracts, or loans of any other nature, shall be made to the treasurer of the proper county, upon a certificate from the auditor showing the amount due, and the auditor shall, when the debt is paid, release any mortgage or issue a certificate of purchase, as the case may be, and report the same to the board of supervisors at its next meeting, which report shall be carried into the records of the board. He shall also keep in his office, in books to be provided for that purpose, an account to be known as the school fund account, in which a memorandum of all notes, mortgages, bonds, money, and assets of every kind and description which may come into his hands and those of the treasurer shall be entered, and separate accounts of principal and interest be kept; and the county treasurer shall keep a like account and record of all school funds coming into his hands. Settlements of such accounts shall be made with the board of supervisors at its January and June sessions, which settlements shall be recorded with the proceedings of the board.

Senator Cheshire moved to reconsider the vote by which the amendments to section 8 of Senate file No. 431 was adopted.

Carried.

Senator Mitchell granted leave to withdraw the amendment.

Senator Cheshire offered the following amendment to section 8.

Add thereafter the following: "Under such rules and regulations as the executive council may adopt."

Adopted.

BILLS ON SECOND READING.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the substitute House concurrent resolution pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellison, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton—33.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carney, Craig, Ellis, Ericson, Everall, Gilbertson, Healy, Hipwell, Lehfeldt, Lothrop, Penrose, Ranck, Waterman, Young—17.

So the bill passed and its title was agreed to.

Senator Trewin moved that Senate file No. 160 be made a special order to follow the special order set for Thursday, April 2d.

Carried.

On motion of Senator Harper House file No. 174, a bill for an act to amend section 1395 of the Code of 1873 in relation to commissioners of insanity, was taken up.

Senator Harper was granted leave to amend the engrossed bill House file No. 174, by striking out the word "one" and the words "page 568 of McClain's Annotated Code of 1888."

Senator Harper moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellison, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carney, Craig, Ellis, Ericson, Everall, Gilbertson, Healy, Hipwell, Lehfeldt, Lothrop, Mitchell, Penrose, Rigger—16.

So the bill passed and the title was agreed to.

On motion of Senator Rowen Senate file No. 418, a bill for an act to legalize the incorporation of the town of Woolstock, Wright county, Iowa, and the acts and ordinances passed, with report of committee recommending certain amendments and that when so amended it do pass, was taken up and considered.

Senator Rowen moved that House file No. 486 be substituted for the bill.

Carried.

Senator Rowen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Ellison, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hobart, Hospers, Hurst, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—32.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carney, Craig, Eaton, Ellis, Ericson, Everall, Gilbertson, Healy, Hipwell, Hotchkiss, Lehfeldt, Lothrop, Penrose, Pusey, Rigger—18.

So the bill passed and the title was agreed to.

On motion of Senator Perrin, Senate file No. 397 (by request), a bill for an act providing for the publication and distribution of the proceedings of the fifth reunion of the Pioneer Law Makers' Association of Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Mitchell presiding.

Senator Perrin moved to amend the bill by inserting the words "a bill for an act."

Adopted.

Senator Perrin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Ellison, Funk, Garst, Gorrell, Harper, Henderson, Hospers, Hurst, Junkin, Kilburn, Mitchell, Palmer, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—29.

The nays were:

None.

Absent or not voting:

Senators Allyn, Berry, Blanchard, Bonson, Carney, Craig, Eaton, Ellis, Ericson, Everall, Gilbertson, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Lehfeldt, Lothrop, Penrose, Phelps, Pusey—21.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 330, a bill for an act to fix the salaries of mayors and aldermen in cities organized under special charters, having a population of 40,000 or more.

House file No. 420, a bill for an act to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled "An act empowering cities under special charters to establish boards of health."

House file No. 463, a bill for an act to legalize the resolutions and ordinances passed, and elections held, to bond the city of Pella, Marion county, Iowa, to erect water works within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square," in said city, for that purpose.

House file No. 491, a bill for an act to legalize the incorporation of the town of Jolley, Calhoun county, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town.

JAS. D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Substitute for Senate file No. 272, a bill for an act to amend section 3721 of the Code of 1873 in respect to taking depositions.

Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties.

JAS. D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected the following bills in which the concurrence of the House was asked:

Senate file No. 371, a bill for an act to legalize certain taxes levied by counties, pursuant to chapter 200 of the acts of the Twentieth General Assembly, and as amended by chapter 22 of the acts of the Twenty-fifth General Assembly.

Indefinitely postponed Senate file No. 410, a bill for an act to legalize the incorporation of the independent school district of Melbourne, Marshall county, Iowa, and the acts of the township board of directors organizing the same.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House receded from its amendments to substitute for Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness, or vehicle, and providing punishment therefor.

JAS. D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

Senate file No. 410, a bill for an act to legalize the incorporation of the independent school district of Melbourne, Marshall county, Iowa, and the acts of the township board of directors, organizing the same, was passed on file.

House file No. 491, a bill for an act to legalize the incorporation of the town of Jolley, Calhoun county, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town, was read first and second time and referred to Committee on Judiciary.

Senate file No. 371, a bill for an act to legalize certain taxes levied by counties, pursuant to chapter 200 of the acts of the Twentieth General Assembly, and as amended by chapter 22 of the acts of the Twenty-fifth General Assembly, was passed on file.

Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties, was passed on file.

House file No. 420, a bill for an act to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled "an act empowering cities under special charters to establish boards of health," was read first and second time and referred to Committee on Public Health.

Amended substitute for Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully, or feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor, was passed on file.

House file No. 330, a bill for an act to fix the salaries of mayors and aldermen in cities organized under special charters, having a population of 40,000 or more, was read first and second time and referred to Committee on Compensation of Public Officers.

Senate file No. 272, a bill for an act to amend section 3741 of the Code of 1873 in respect to taking depositions was passed on file.

House file No. 463, a bill for an act to legalize the resolutions and ordinances passed, and elections held, to bond the city of Pella, Marion county, Iowa, to erect waterworks within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square" in said city, for that purpose, was read first and second time.

Senator Druet moved that the bill be substituted for Senate file No. 400.

Carried.

Senator Druet moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Ellison, Funk, Garst, Gorrell, Harper, Henderson, Hobart, Hospers, Hurst, Kilburn, Mitchell, Palmer, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—29.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Blanchard, Bonson, Carney, Craig, Eaton, Ellis, Ericson, Everall, Gilbertson, Harriman, Healy, Hipwell, Hotchkiss, Junkin, Lehfeldt, Lothrop, Penrose, Pusey, Young—21.

So the bill passed and the title was agreed to.

On motion of Senator Garst, Senate file No. 356, a bill for an act amending section 2410 of the Code, relative to the statutory denial of claims filed against estates of decedents, with report of committee recommending certain amendments,

was taken up, considered, and the report of the committee adopted.

Senator Funk, president *pro tem*, presiding.

Senator Berry offered the following amendment to the bill:

Insert after the word "claims," in line 3 of section 1, the following "evidenced by writing signed by the deceased."

Lost.

Senator Phelps offered the following amendment to the bill:

SECTION 1. Add the words "or found" after the word "concluded" in the last line of said section.

Adopted.

The bill was ordered engrossed for third reading to-morrow.

Senator Druet moved that the Senate take up Senate file No. 293, No. 117 on the Calendar.

Lost.

BILLS ON THIRD READING.

Senate file No 311, by Trewin, a bill for an act for the protection of game was taken up on motion of Senator Garst.

Senator Trewin moved that the previous reading be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Berry, Carpenter, Cheshire, Ellison, Harper, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Rikken, Rowen, Trewin, Upton—18.

The nays were:

Senators Alexander, Bell, Byers, Carroll, Downey, Druet, Funk, Garst, Gorrell, Harriman, Hobart, Pusey, Ranck, Sargent, Waterman—15.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carney, Craig, Eaton, Ellis, Ericson, Everall, Gilbertson, Healy, Hipwell, Hurst, Lehfeldt, Lothrop, Penrose, Young—17.

So the bill passed and the title was agreed to.

Senator Waterman moved to take up Senate file No. 10, No. 20 on the Calendar.

Lost.

On motion of Senator Rikken, Senate file No. 309, a bill for an act to amend section 1433 of the Code, relating to care of the insane.

Senator Rikken moved that House file No. 162 be substituted for Senate file No. 309.

Carried.

The report of the committee was adopted.

Senator Rikken moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Byers, Carpenter, Carroll, Cheshire, Downey, Druet, Ellison, Funk, Gorrell, Harper, Harriman, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Palmer, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Upton, Waterman—28.

The nays were:

Senators Blanchard, Garst, Hobart—3.

Absent or not voting:

Senators Allyn, Berry, Bonson, Carney, Craig, Eaton, Ellis, Ericson, Everall, Gilbertson, Healy, Hipwell, Hurst, Lehfeldt, Lothrop, Mitchell, Penrose, Trewin, Young—19.

So the bill passed and its title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 483, a bill for an act fixing the compensation of the commissioners of pharmacy and the salary of the secretary and treasurer of said board of commissioners, and for the inspection of their books and accounts by the governor.

Also:

House file No. 412, a bill for an act to legalize the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and the board of directors of the independent school district of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes.

Also:

House file No. 419, a bill for an act to legalize a certain bond issue of the incorporated town of Manning, Iowa, and the acts of its electors and council in connection with such issues.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873, as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to salaries of certain officers.

Senate file No. 403, a bill for an act to provide for the payment of current expense fund for hospitals for insane in advance.

JAMES D. ROWEN,
Chief Clerk.

The Journal of Saturday was taken up and corrected and approved.

Senate adjourned until 2 o'clock P. M. to-day.

AFTERNOON SESSION.

Senate met in regular session, President Parrott presiding.

BILLS ON SECOND READING.

On motion of Senator Druet, Senate file No. 168, a bill for an act to amend section 27 of McClain's Code, with majority report of committee recommending that same be indefinitely postponed and minority report recommending certain amendments and when so amended it do pass, was taken up.

Senator Druet moved that majority report be adopted.

Adopted.

On motion of Senator Kilburn, Senate file No. 94, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, with report of committee recommending certain amendments, and that when so amended it do pass was taken up.

Senator Carney moved that the consideration of the bill be postponed until amendments are printed in bill form.

Carried.

On motion of Senator Waterman, Senate file No. 10, a bill for an act to require the board of supervisors in each county to make annual appropriation for the different expenditures, not in excess of the legally authorized revenue, and to avoid liabilities, when there are no funds to meet them, with the report of the committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Pusey offered the following amendment:

After the word "purpose" in the third line from the last insert "of meeting any extraordinary emergency or."

Adopted.

Senator Waterman moved to amend by striking out the word "January" in the first section and insert the word "April."

Adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Byers, Cheshire, Downey, Druet, Ericson, Funk, Harper, Henderson, Hobart, Mitchell, Phelps, Pusey, Sargent—15.

The nays were:

Senators Bell, Carney, Carroll, Ellison, Garst, Gorrell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Perrin, Ranck, Rikken, Trewin, Upton, Waterman, Young—18.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carpenter, Craig, Eaton, Ellis, Everall, Gilbertson, Harriman, Healy, Hipwell, Lehfeldt, Lothrop, Palmer, Penrose, Rowen—17.

So the bill, having failed to receive a constitutional majority, was declared lost.

Senator Carney moved that the Senate do now adjourn.

On this a division was called for, and the motion was lost.

Senator Henderson moved to take up bills recommended for indefinite postponement.

Carried.

Senate file No. 899, a bill for an act to prescribe the method of electing Representatives to Congress, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senator Trewin moved that House file No. 244 be stricken from the Calendar.

Carried.

The application of William Dilley, a life convict, for a pardon, with report of committee recommending that it be not granted, was taken up, considered, and the report of the committee adopted.

On the application of Jasper Mason, a life convict, for a pardon, the Committee on Penitentiary and Pardons recommend that it be not granted, was taken up, considered, and the report of the committee was adopted.

Senate file No. 207, a bill for an act to regulate the soliciting and sale of nursery stock in the State of Iowa, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 224, a bill for an act to provide for the printing of the bulletins of the Iowa State Experiment Station, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 230, a bill for an act to make an appropriation to the department of Iowa manufactures of Iowa State Agricultural society, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senator Trewin moved that House file No. 248 be stricken from the Calendar.

Carried.

Senate file No. 10, a joint resolution proposing an amendment to the State constitution in relation to qualification for members of the General Assembly, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 189 (by request), a bill for an act relative to farmers' and citizens' voluntary associations for the purpose of insuring live-stock and declaring an emergency, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 365, a bill for an act to amend section 430 of the Code, relating to the annexation of contiguous territory by cities and towns, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 350, by Harper, a bill for an act authorizing cities to license and tax transient merchants and peddlers, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 382, a bill for an act to amend section 1634 of the Code of 1873, relating to the adoption of children at the Soldiers' Orphans' Home at Davenport, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 355, a bill for an act to amend section 1144 of the Code of 1873, as amended by chapter 55, acts of the Fifteenth General Assembly, and chapter 66 of the Sixteenth General Assembly, and chapter 146 of the acts of the Twenty-first General Assembly, and relating to foreign insurance companies, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House file No. 186, a bill for an act to extend the privileges of free public libraries to towns, villages and townships, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 408, a bill for an act relating to wires, electrical apparatus and appliances in the State of Iowa, for the prevention of fires and loss of life and property, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senator Druet moved that Senate file No. 293 be stricken from the Calendar.

Lost.

REPORTS OF STANDING COMMITTEES.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 119, a bill for an act relating to the extermination of Russian thistles, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying be substituted, and when so substituted that the same do pass.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 119.

A bill for an act to amend chapter 91 of the acts of the Twenty-fifth General Assembly of Iowa, relating to the extermination of Russian thistles.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2 of chapter 91 of the acts of the Twenty-fifth General Assembly of Iowa be amended as follows: By striking out the

following words in the seventh line thereof, to-wit: "The 25th day of August and the 10th day of September," and insert the following in lieu thereof: "25th day of July and 10th day of August."

SEC. 2. That section 3 of said act be repealed and the following enacted in lieu thereof: "That it shall be the duty of all persons knowing of the presence of Russian thistles upon any premises, lands, lots, streets, highways, or elsewhere in any township, at any time after the tenth day of August and before the fifteenth day of August to give notice in writing to the owner, occupant, persons or corporations in possession or control thereof, and if not destroyed by such owners, occupant, or person in possession by the twentieth day of August, to give notice in writing immediately after the twentieth day of August of that year to any member of the board of township trustees in which said thistles are growing, or if within a city or incorporated town, then to give notice in writing to the mayor, recorder or clerk thereof, who shall on or before the fifth day of September, cause the same to be cut, burned, or otherwise totally destroyed. The reasonable costs of destroying said thistles and of serving said notices aforesaid, shall be paid out of the general county fund on the certificate of the board of township trustees or city or town council, of the amount of the same, which certificate shall describe the land, or lots upon which said thistles were destroyed and the amount of costs for destroying the same on each tract, together with the costs of serving said notices thereon, and upon the filing of the certificate in the auditor's office, the county board of supervisors shall cause the amount so paid to be levied as a special tax against the premises on which said thistles have been destroyed and against the persons or corporation owning said premises, and the county treasurer shall collect the same as any other tax, and return it to the county fund.

The costs for serving said notice on said officers shall be the same as original notices in justices' court, but only one such charge for serving said notices shall be taxed against each owner of said land.

D. J. PALMER.

Chairman.

Ordered passed on file.

On request of Senator Palmer the substitute for House file No. 119 was ordered printed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 470, a bill for an act to authorize the people of cities acting under special charters to transfer or dedicate parks, public squares or plats of ground for free public library building purposes.

Also:

House file No. 464, a bill for an act to amend section 2077 of the Code of Iowa, relating to railroads and other common carriers.

Also:

House file No. 316, a bill for an act to amend section 1226 of the Code of Iowa (relating to drainage), by adding thereto the following:

Also:

House file No. 281, a bill for an act to exempt crematoriums from taxation.

Also:

House file No. 478, a bill for an act to legalize the purchase of ground by the independent district No. 9, of West Lafayette township, Keokuk county, Iowa.

JAS. D. ROWEN,
Chief Clerk.

Senator Henderson moved that the Senate take up House messages.

Carried.

HOUSE MESSAGES.

Substitute for House file No. 483, a bill for an act fixing the compensation of the commissioners of pharmacy and the salary of the secretary and treasurer of said board of commissioners, and for the inspection of their books and accounts by the governor, was read first and second time and referred to Committee on Pharmacy.

House file No. 429, a bill for an act to legalize a certain bond issue of the incorporated town of Manning, Iowa, and the acts of its electors and council in connection with such issue, was read first and second time and referred to Committee on Judiciary.

House file No. 412, a bill for an act to legalize the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and of the board of directors of the independent school district of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, was read first and second time and referred to Committee on Judiciary.

House file No. 373, a bill for an act prohibiting the removal of dirt, gravel or sand from the public highways, was passed on file.

Senate file No. 403, a bill for an act to provide for the payment of current expense fund for hospitals for insane in advance, was passed on file.

House file No. 316, a bill for an act to amend section 1226 of the Code of Iowa (relating to drainage), by adding thereto

the following, was read first and second time and referred to Committee on Highways.

House file No. 478, a bill for an act to legalize the purchase of ground by the independent district No. 9 of West Lafayette township, Keokuk county, Iowa, was read first and second time and referred to Committee on Judiciary.

House file No. 281, a bill for an act to exempt crematoriums from taxation, was read first and second time and referred to Committee on Judiciary.

House file No. 470, a bill for an act to authorize people of cities acting under special charters to transfer or dedicate parks, public squares or plats of ground for free public library building purposes, was read first and second time and referred to Committees on Cities and Towns.

House file No. 464, a bill for an act to amend section 2077 of the Code of Iowa, relating to railroads and other common carriers.

Read first and second time and referred to the Committee on Railways.

Senator Garst moved that the Senate do now adjourn.

Lost.

BILLS ON SECOND READING.

On motion of Senator Cheshire, Senate file No. 822, a bill for an act to amend section 4022 of the Code of 1873, relating to the importation, printing, publishing, selling and distributing of obscene books and pictures, with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellison, Ericson, Funk, Garst, Gorrell, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Rowen, Sargent, Trewin, Waterman, Young—32.

Senator Hurst voted in the negative.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Craig, Ellis, Everall, Gilbertson, Harper, Healy, Hipwell, Lehfeltdt, Lothrop, Penrose, Pusey, Ranck, Rikken, Upton—17.

So the bill passed and its title was agreed to.

On motion of Senator Rowen, Senate file No. 296, a bill for an act to amend section 4013 of the Code of Iowa, as amended by chapter 142 of the acts of the Twentieth General Assembly, was taken up.

Senator Rowen moved that House file No. 237 be substituted for Senate file No. 296.

Carried.

Senator Rowen moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Druet, Ellison, Funk, Garst, Gorrell, Harriman, Henderson, Hospers, Hotchkiss, Julkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Rowen, Sargent, Trewin, Waterman, Young—28.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Craig, Downey, Eaton, Ellis, Ericson, Everall, Gilbertson, Harper, Healy, Hipwell, Hobart, Hurst, Lehfeltdt, Lothrop, Penrose, Pusey, Ranck, Rikken, Upton—22.

So the bill passed.

Senator Rowen moved to amend the title by adding the words "and person or persons resorting thereto."

Adopted.

The title as amended was agreed to.

Senator Henderson moved that the Senate do now adjourn.

Carried.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, March 31, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. L. Douglass, Bayard, Iowa.

PETITIONS AND MEMORIALS.

Senator Hurst presented remonstrance of four hundred citizens of Jackson county against any change in railway laws.

Referred to Committee on Railways.

Senator Sargent presented remonstrance of W. A. Hallowell and others against manufacturing bill.

Referred to Committee on Suppression of Intemperance.

President Parrott presented remonstrance of W. C. T. U. of Iowa against passage of manufacturing bill.

Referred to Committee on Suppression of Intemperance.

Senator Allyn presented remonstrance of B. of R. T. of Creston against passage of Senate file No. 297.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Carroll, Senate file No. 441, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled an act to prohibit the sale of impure oil in coal mines and providing penalties for violation thereof.

The bill was read for information.

Senator Carroll moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers,

Hotchkiss, Hurst, Junkin, Kilburn, Lehfelddt, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Berry, Blanchard, Ellis, Healy, Penrose, Rigger, Upton—7.

So the bill passed and the title was agreed to.

By Senator Druet, Senate file No. 442, a bill for an act to repeal sections 1, 2 and 3 of chapter 51 of the acts of the Twenty-fourth General Assembly, relative to the name of and objects of and persons eligible to the Industrial Home for the Blind at Knoxville.

Read first and second time and referred to Committee on Charitable Institutions.

Senator Trewin called up concurrent resolution relative to adjournment.

Senator Berry offered the following amendment to the resolution:

I move to amend the substitute by striking out the words in line 5 "in adjourned session," and in lines 5 and 6 the words "second Tuesday of January, 1897," and insert in lieu thereof "third Tuesday of April, A. D. 1896," and strike out in line 9 the words "January, 1897" and insert in lieu thereof the words "in April, 1896."

Senator Waterman moved that the resolution be made a special order for Friday, April 3, at 10:30 A. M.

The hour for the special order, substitute for Senate files Nos. 8, 203, 324, having arrived, Senator Trewin moved that the special order be continued for thirty minutes.

On this a division was called for and the motion prevailed.
Discussion continued.

The hour for the special order having arrived, Senator Ellis moved that the special order be continued thirty minutes.

On this a division was called for and the motion prevailed.
Discussion continued.

The hour for the special order having arrived, Senator Cheshire moved that the special order be postponed until to-morrow at 10:30 A. M.

On this a division was called for and the motion prevailed.
Senator Carney moved the previous question.

On the question, "Shall the main question be put?" the motion prevailed.

Senator Carroll moved that the time of adjournment be extended five minutes.

Carried.

On the question, "Shall the resolution be made a special order for Friday at 10:30 A. M.?" the yeas were:

Senators Alexander, Allyn, Beil, Bonson, Byers, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Lehfeldt, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Waterman—36.

The nays were:

Senators Berry, Carney, Carpenter, Carroll, Hospers, Junkin, Mitchell, Trewin, Upton, Young—10.

Absent or not voting:

Senators Blanchard, Healy, Penrose, Rikken—4.

So the motion prevailed.

REPORT OF STANDING COMMITTEE.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 356, a bill for an act amending section 2410 of the Code, relative to the statutory denial of claims filed against estates of decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the information that the same is properly engrossed.

H. L. BYERS,
Chairman.

Ordered passed on file.

Senator Eaton filed the following motion:

I move to reconsider the vote by which Senate file No. 431 was passed.

WILLIAM EATON.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, April 1, 1896.

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. H. E. Warner of Reinbeck, Iowa.

On request of Senator Garst, leave of absence was granted Senator Healy.

PETITIONS AND MEMORIALS.

Senator Lothrop presented remonstrance of railway orders of Sioux City, Iowa, against House file No. 297, and asked that it be read.

Referred to Committee on Labor.

Senator Eaton presented remonstrance of J. E. Hill and others against monument at Lookout Mountain.

Referred to Committee on Appropriations.

Senator Trewin presented memorial of Abernethy Post No. 48, G. A. R., West Union, Iowa, relative to the soldiers monument, and asked that it be read.

Referred to Committee on Military.

Senator Cheshire presented remonstrance of J. F. Fleming and 364 others against the passage of Senate file No. 406.

Referred to Committee on Cities and Towns.

Senator Rowen presented remonstrance of James Sterling and others against passage of House file No. 297, and asked that it be read.

Referred to Committee on Labor.

Senator Cheshire presented remonstrance of L. Harbach and others against passage of Senate file No. 406.

Referred to Committee on Cities and Towns.

INTRODUCTION OF BILLS.

By Senator Pusey, Senate file No. 443, a bill for an act to amend section 8, chapter 104, acts of the Twenty-first General

Assembly, entitled an act to regulate the practice of medicine and surgery in Iowa.

Read first and second time and referred to Committee on Pharmacy.

By Senator Craig, Senate file No. 444, a bill for an act to provide additional support for the Iowa National Guard.

Read first and second time and referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 316, a bill for an act to amend section 1226 of the Code, relating to drainage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 355, a bill for an act defining bicycles and regulating their use, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 331, a bill for an act to amend section 5331 of McClain's Code, regarding the receiving of bodies for medical and surgical study, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 99, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be

amended by striking out the words "twenty-five" in the eighth line of section six and inserting in lieu thereof the words "one hundred," and that when so amended it do pass.

J. R. GORBELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 420, a bill for an act to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled "an act empowering cities under special charters to establish boards of health," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. R. GORBELL,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 161, a bill for an act to establish and maintain five normal schools for the instruction and training of teachers, and to provide for the location of such schools, beg leave to report that they have had same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 317, a bill for an act to pay the expense of procuring badges for certain employes of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled bills respectfully report that they have examined and find correctly enrolled, Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties

G. S. GILBERTSON,
Chairman.

Ordered passed on file

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations, and regulating the same.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-referred substitute for Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title 3, of the Code, and to provide for the selecting and drawing of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying amendments thereto be adopted, and when adopted the bill do pass, and that 300 copies of the bill as amended by the committee be printed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Three hundred copies ordered printed.

BILLS ON SECOND READING.

On motion of Senator Carroll, Senate file No. 125, a bill for an act for the relief of F. M. Heskett, with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Bill was read for information.

Senator Carroll, moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Byers, Carney, Carroll, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hobart, Hospers, Hurst, Lehfelddt, Lothrop, Palmer, Phelps, Rikken, Rowen, Sargent, Trewin, Upton, Young—32.

The nays were:

Senators Berry, Carpenter, Cheshire, Downey, Harriman, Henderson, Perrin, Waterman—8.

Absent or not voting:

Senators Blanchard, Craig, Healy, Hotchkiss, Junkin, Kilburn, Mitchell, Penrose, Pusey, Ranck—10.

So the bill having failed to receive a two-thirds vote was declared lost.

On motion of Senator Hipwell, Senate file No. 148, a bill for an act to provide for the payment of the claim of Scott county against the State of Iowa, for expenses incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa, with report of committee recommending certain amendments, and when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Hipwell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hobart, Hospers, Hurst, Junkin, Lehfelddt, Lothrop, Palmer, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—38.

The nays were:

Senators Harriman and Henderson—2.

Absent or not voting:

Senators Blanchard, Carpenter, Eaton, Healy, Hotchkiss, Kilburn, Mitchell, Penrose, Phelps, Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Byers, Senate file No. 123, a bill for an act to reimburse John L. Brown as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties, with report of committee, was taken up, considered, and the report of the committee adopted.

Senator Byers moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Carroll, Eaton, Ericson, Garst, Gilbertson, Gorrell, Harper, Harriman, Hipwell, Hobart, Hurst,

Lothrop, Palmer, Perrin, Rowen, Sargent, Trewin, Upton, Waterman—21.

The nays were:

Senators Alexander, Bell, Bonson, Byers, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Funk, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lehfeldt, Phelps, Pusey, Ranck, Rigger—23.

Absent or not voting:

Senators Blanchard, Everall, Healy, Mitchell, Penrose, Young—6.

So the bill having failed to receive a two-thirds vote was declared to be lost.

The application of William Slowey for a pardon, with report of committee recommending that same be granted, was taken up.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 456, a bill for an act to repeal chapter 8 of the acts of the Fifteenth General Assembly, relating to the permanent survey of lands and the establishment of lost corners, and providing a substitute therefor.

Substitute for House file No. 208, a bill for an act to amend chapter 11, title 9 of proposed Code, relative to publication of statements of banks.

House file No. 361, a bill for an act to repeal section 6 of chapter 43 of the acts of the Twenty-third General Assembly, and to enact a substitute therefor in reference to compensation of justices of the peace and peace officers.

House file No. 447, a bill for an act to repeal section 1 of chapter 31 of the laws of the Twenty-second General Assembly, being section 2096 of McClain's annotated Code of Iowa, relating to changing names of railway stations.

House file No. 304, a bill for an act to amend section 515 of the Code, relative to marshals of incorporated towns.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate was asked:

Senate file No. 163, a bill for an act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers.

Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne.

Senate file No. 441, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled an act to prohibit the sale of impure oil in coal mines and providing penalties for violation thereof.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected Senate file No. 377, a bill for an act to amend section 6, chapter 43, acts of the Twenty-third General Assembly, relating to vagrants.

JAMES D. ROWEN,
Chief Clerk.

The hour for the special order having arrived, Senator Craig moved that Senate file No. 423, also a special order for this hour, be continued as a special order to be taken up immediately after the disposition of the manufacturing bill.

Substitute for Senate files Nos. 8, 203 and 324, a bill for an act exempting from penalties the manufacture, sale and transportation of spirituous, malt and vinous liquors for lawful purposes, with report of committee recommending that this be substituted for Senate files Nos. 8, 203 and 324, and that it do pass, was taken up, and the report of the committee read for information.

Senator Hipwell offered the following amendment:

Insert in line 10, section 1, the words "spiritucus, malt and" after the word "such."

Adopted.

Senator Harper offered the following amendment:

I move to strike out of the second line of section 1 the words "sixty-five" and insert the word "fifty" in lieu thereof.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Bonson, Carpenter, Cheshire, Downey, Ellis, Everall, Harper, Hipwell, Hurst, Lehfeldt, Pusey, Ranck, Trewin, Waterman—14.

The nays were:

Senators Alexander, Allyn, Bell, Berry, Carney, Carroll, Craig, Druet, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Riggen, Rowen, Sargent, Upton—29.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Healy, Mitchell, Phelps, Young—7.

So the amendment was lost.

Senator Hipwell moved to amend section 2, line 12, by inserting the words "spirituous, malt and" after the word "such."

Adopted.

Senator Pusey offered the following amendment to section 1, line 10: Strike out the word "case."

Adopted.

Senator Hipwell was permitted to withdraw the amendments to sections 1 and 2.

Senator Ellis moved to amend section 1, line 10, by inserting the words "malt and" after the word "such."

Carried.

Senator Ellis moved to amend section 2, line 12, by inserting the words "malt and" after the word "such."

Adopted.

Senator Pusey moved to reconsider the vote by which the word "case" was stricken out of section 1.

Carried.

Amendment withdrawn.

Senator Bell moved to amend line 2, section 5, by striking out the words "300 feet" and inserting the words "five miles."

Lost.

Senator Junkin presiding.

President Parrott presiding.

Senator Cheshire offered the following amendment:

I move to amend section 1 of the bill by inserting after the word "dealers" in the fifth line the words "and for sale and exportation beyond the borders of the state."

Adopted.

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Parrott presiding.

The Journals of Monday and Tuesday were taken up, read, corrected and approved.

· Senator Penrose was granted leave to **withdraw** notice to reconsider the vote by which Senate file No. 122 was passed.

The Senate resumed consideration of **special order**.

Senator Cheshire offered the following **amendment**:

I move to amend section two of the bill by **inserting after** the word "dealers" in the eighth line, the words "**or for sale or exportation beyond the borders of the state.**"

Adopted.

Senator Carpenter presiding.

President Parrott presiding.

Senator Garst moved that the Senate **do now adjourn.**

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, April 2, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. George Winterbourne, Adair, Iowa.

Senator Gorrell moved that House file No. 420 be recommit-
ted to Committee on Public Health.

Carried.

PETITIONS AND MEMORIALS.

Senator Berry presented remonstrance of William McNair and others against changes in railway laws.

Referred to Committee on Railways.

Senator Rowen presented memorial of railway brotherhood at Eagle Grove against House file No. 267 and asked that it be read.

Referred to Committee on Railways.

Senator Alexander presented petition of L. F. Lefebure and others in favor of placing express companies under control of railway commissioners.

Referred to Committee on Railways.

Senator Waterman presented petition of A. Odenwalder and others in favor of manufacturing bill and asked leave to withdraw.

President Parrott presented petition of Poland China Breed-
ers' association in favor of placing express companies under control of Railway Commissioners, and asked for its reading.

Referred to Committee on Railways.

Senator Byers offered the following resolution and asked that it be laid over:

Resolved, That the President of the Senate appoint a sifting committee, consisting of seven members, and when so appointed, all bills except appropriation bills shall be referred to said committee; and that no bills, except appropriation bills and those now made a special order, be hereafter

considered unless favorably recommended by said committee. Said bills to be taken up by the Senate for consideration in the order in which they are reported.

HOUSE MESSAGES.

House file No. 447, a bill for an act to repeal section 1 of chapter 31 of the laws of the Twenty-second General Assembly, being section 2096 of McClain's annotated Code of Iowa, relating to changing names of railway stations, was read first and second time and referred to Committee on Railways.

Senate file No. 163, a bill for an act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers, was passed on file.

Senate file No. 441, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled an act to prohibit the sale of impure oil in coal mines and providing penalties for violation thereof, was passed on file.

Senate file No. 377, a bill for an act to amend section 6, chapter 43, acts of the Twenty-third General Assembly, relating to vagrants, which the House rejected, was passed on file.

Substitute for House file No. 208, a bill for an act to amend chapter 60, section 23, title 6, Fifteenth General Assembly, relative to publication of statements of banks, was read first and second time and referred to Committee on Banks.

Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne, was passed on file.

House file No. 456, a bill for an act to repeal chapter 8 of the acts of the Fifteenth General Assembly, relating to the permanent survey of lands and the establishment of lost corners, and providing a substitute therefor, was read first and second time and referred to Committee on Judiciary.

House file No. 304, a bill for an act to amend section 515 of the Code, relative to marshals of incorporated towns, was read first and second time and referred to Committee on Judiciary.

House file No. 361, a bill for an act to repeal section 6 of chapter 43 of the acts of the Twenty-third General Assembly, and to enact a substitute therefor in reference to compensation of justices of the peace and peace officers.

Senator Carney moved that the bill be taken up for consideration.

Carried.

Senator Carney moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hospers, Hotchkiss, Hurst, Kilburn, Lehfelddt, Mitchell, Palmer, Penrose, Perrin, Phelps, Rowen, Sargent, Trewin, Waterman—32.

The nays were:

Senators Harriman, Hobart, Lothrop, Ranck—4.

Absent or not voting:

Senators Allyn, Bell, Carpenter, Craig, Eaton, Ellis, Everall, Healy, Henderson, Junkin, Pusey, Rigger, Upton, Young—14.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEES.

Senator Phelps, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 14, a joint resolution proposing an amendment to the State constitution in relation to the right of trial by jury; and authorizing the General Assembly to provide for a jury of a less number than twelve in civil cases, and providing for a verdict of a less number than the whole jury sitting in the cause, beg leave to report that they have had the same under consideration, and have recommended a substitute therefor, and have instructed me to report the same to the Senate with the recommendation that it be adopted, and when so adopted that the substitute do pass.

JOINT RESOLUTION NO. 14.

Proposing an amendment to the State Constitution in relation to the right of trial by jury, and authorizing the General Assembly to provide for a jury of a less number than twelve in civil cases, and providing for a verdict of a less number than the whole jury sitting in the cause.

Be it Resolved by the General Assembly of the State of Iowa:

That the following amendment to the constitution of the State of Iowa be, and the same is hereby proposed, viz:

SECTION 1. To amend section 9 of article 1 of the constitution of Iowa, which reads as follows: "The right of trial by jury shall remain inviolate, but the General Assembly may authorize trial by a jury of a less number than twelve men in inferior courts, but no person shall be deprived of life, liberty or property without due process of law," by inserting after the word "courts" in the third line of said section the words "and in the trial of all civil causes in the district court," and the General Assembly may also authorize in all trials by jury in inferior courts and in civil causes

in the district court, that a less number of jurors than the full number sitting may return a verdict." Said section when so amended to read as follows:

"The right of trial by jury shall remain inviolate, but the General Assembly may authorize trial by a jury of a less number than twelve in inferior courts, and in the trial of all civil causes in the district court. And the General Assembly may also authorize in all trials by jury in inferior courts and in civil causes in the district courts, that a less number of jurors than the full number sitting may return a verdict."

SUBSTITUTE FOR JOINT RESOLUTION NO. 14.

Proposing an amendment to the state constitution in relation to the right of trial by jury, and providing for a verdict of a less number than the whole jury sitting in the cause.

Be it resolved by the General Assembly of the State of Iowa:

That the following amendment to the constitution of the State of Iowa be, and the same is hereby proposed, viz:

SECTION 1. To amend section nine (9) of article one (1) of the constitution of Iowa, which reads as follows: "The right of trial by jury shall remain inviolate; but the General Assembly may authorize trial by a jury of a less number than twelve men in inferior courts; but no person shall be deprived of life, liberty, or property, without due process of law." by inserting after the word "courts" in the third line of said section the words "and the General Assembly may also authorize in all trials by jury in inferior courts and in civil causes in the district court, that a less number of jurors than the full number sitting may return a verdict." Said section when so amended to read as follows:

"The right of trial by jury shall remain inviolate; but the General Assembly may authorize trial by a jury of a less number than twelve men in inferior courts, and the General Assembly may also authorize in all trials by jury in inferior courts and in civil causes in the district courts, that a less number of jurors than the full number sitting may return a verdict; but no person shall be deprived of life, liberty, or property without due process of law."

JULIAN PHELPS,

Chairman.

Ordered passed on file.

Original Joint Resolution No. 14, and substitute therefor ordered printed in the Journal.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 211, a bill for an act repealing section 2, chapter 7, of the laws of the Twenty-fifth General Assembly, relating to paving, curbing and sewerage in cities under special charters, and all cities having a population of 5,000 or more, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor and that said substitute do pass:

SUBSTITUTE FOR SENATE FILE NO. 211.

A bill for an act granting additional powers to certain cities of the first class in reference to the improvement of streets, highways, avenues or alleys, and to provide for the payment of the cost thereof.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities of the first class that have been or may be organized since January 1, 1881, and all cities acting under special charter which now have or may hereafter have, according to any lawfully authorized census, a population of over 20,000, shall, in addition to the powers now conferred upon such cities, have power to provide by ordinance for the improvement of streets, highways, alleys or avenues, by grading, paving, graveling, macadamizing, guttering or curbing the same, and that the entire cost of any such improvement, including the intersections of streets and alleys and the space opposite alleys, except that portion assessable against railroads and street railways, shall be assessed and a special tax thereof levied upon and against the property abutting or fronting upon that portion of the street, alley or avenue improved, in proportion to the front feet fronting or abutting upon such improvement.

SEC. 2. This act being deemed of importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. SPEAKER—Your Committee on Cities and Towns, to whom was referred Senate file No. 398, a bill for an act to authorize the people of cities acting under special charters to transfer or dedicate parks, public squares or plats of grounds for free public library building purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 290, a bill for an act to amend section 1, chapter 1, acts of the Twenty-fourth General Assembly, establishing a board of park commissioners in certain cities of the first class, defining their powers and describing their duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor and that said substitute do pass:

SUBSTITUTE FOR HOUSE FILE NO. 290.

A bill for an act to amend section 1 chapter 1, acts of the Twenty-fourth General Assembly, establishing a board of park commissioners in certain cities of the first class, defining their powers and describing their duties.

Be it Enacted by the General Assembly of the State of Iowa:

That section 1, of chapter 1, of the acts of the Twenty-fourth General Assembly be amended as follows:

By striking out the words and figures "35,000, at the end of the city election in 1892," in the fifth line of said section, and inserting the words "twenty-five thousand, at the end of the State election in 1895" in lieu thereof.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 1, a bill for an act defining fraternal beneficiary societies, orders or associations, and regulating the same.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval, Senate file No. 387, a bill for an act to amend section 2 of chapter 17 of the acts of the Twenty-second General Assembly as amended, changing the form of city bonds.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval, Senate file No. 116, a bill for an act to amend sections 969, 975, 981, 987 and 996 of the Code relative to the meeting of township trustees for settlement with road supervisors.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 337, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporate town of Williamsburg, in Iowa county, State of Iowa.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 375, a bill for an act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town since July 20, 1895.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 7, a bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper and cigarette wrappers, and providing penalties for the violation of the provisions thereof.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 65, a bill for an act to prevent combinations between fire insurance companies and providing penalties therefor.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate file No. 374, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 66, a bill for an act to prevent blindness, and for the care of infants affected with disease of the eyes, and to provide a penalty for the violation thereof.

G. S. GILBERTSON,
Chairman.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 162, a bill for an act authorizing and empowering county auditors to collect and receive moneys due their respective counties.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No 1, a bill for an act defining fraternal beneficiary societies, orders or associations, and regulating the same.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Senate resumed consideration of the special order, substitute for Senate files Nos. 8, 203 and 324.

Senator Penrose offered the following amendment to section 5:

Strike out the word "of" in second line and insert the words "of the ground on which there is erected."

Adopted.

Senator Funk, president *pro tem*, presiding.

President Parrott presiding.

Senator Hipwell offered the following as a substitute for the bill under consideration:

A BILL

For an act to authorize the manufacture, sale and transportation of spirituous, malt and vinous liquors.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That it shall be lawful for any person, company or corporation to manufacture and sell spirituous, malt and vinous liquors in this State, and such person, company or corporation may sell upon the premises where the same is manufactured in quantities not less than four gallons, upon condition, however, that said liquors shall not be drank upon the premises where the same are manufactured.

SEC. 2. It shall be the duty of any person or common carrier to whom such spirituous, malt or vinous liquors are delivered for transportation, to accept, receive and transport the same upon a reasonable compensation being paid therefor, to any point within the State.

SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 4. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 373, a bill for an act prohibiting the removal of dirt, gravel or sand from the public highways.

House file No. 343, a bill for an act to amend section 1132 of the Code of 1873.

House file No. 33, a bill for an act to amend chapter 132 of the acts of the Twentieth General Assembly.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has asked to recall the following bill:

House file No. 216, a bill for an act to repeal section 3, chapter 211, of the acts of the Eighteenth General Assembly, relating to evidence of value, proofs, and their action in certain cases on policies of fire insurance, and to enact a substitute therefor.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 37, a bill for an act to amend section 2178 of the Code in relation to the sale of property by carriers for charge.

Senate file No. 322, a bill for an act to amend section 4022, Code of 1873, relating to the importation, publishing, selling and distributing obscene books and pictures.

Senate file No. 330, a bill for an act authorizing cities, counties and townships and other municipal corporations to take and hold gifts or bequests and to manage the same.

JAMES D. ROWEN,
Chief Clerk.

Senator Phelps moved that when the Senate do adjourn it be until 2 o'clock P. M.

Carried.

Senate adjourned until 2 o'clock P. M., Senator Lothrop having the floor.

AFTERNOON SESSION.

Senate convened at 2 o'clock, President Parrott presiding.
Senator Funk moved to take up House messages.
Carried.

HOUSE MESSAGES.

House file No. 33, a bill for an act to amend chapter 132 of the acts of the Twentieth General Assembly, was read first and second time and referred to Committee on Labor.

House file No. 373, a bill for an act prohibiting the removal of dirt, gravel or sand from the public highways, was read first and second time and referred to Committee on Highways.

House file No. 343, a bill for an act to amend section 1132 of the Code of 1873, was read first and second time and referred to Committee on Insurance.

Senate file No. 330, a bill for an act authorizing counties, cities, townships and other municipal corporations to take and hold property by gift and request, and providing for the management of the same.

Passed on file.

Senate file No. 37, a bill for an act to amend section 2178 of the Code, in relation to the sale of property by carriers and others for charges.

Passed on file.

Senate file No. 322, a bill for an act to amend section 4022 of the Code of 1873, relating to the importation, printing, publishing, selling and distributing of obscene books and pictures.

Passed on file.

Journal of Wednesday was taken up, read, corrected and approved.

Senate resumed consideration of special order, the manufacturing bill, Senator Lothrop having the floor.

On the question, "Shall Senate file No. 149 be substituted for the bill?" the yeas were:

Senators Bonson, Downey, Everall, Harper, Hipwell, Hurst, Ranck—7.

The nays were:

Senators Alexander, Allyn, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Druet, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Hobart, Hospers, Hotchkiss, Lehfeldt, Palmer, Penrose, Perrin, Pusey, Rowen, Sargent, Trewin, Upton, Waterman, Young—31.

Absent or not voting:

Senators Bell, Eaton, Ellis, Ellison, Healy, Henderson, Junkin, Kilburn, Lothrop, Mitchell, Phelps, Rigger—12.

So the substitute was lost.

Senator Carpenter offered the following amendment:

Amend section 1 by adding thereto the following: "The consent to manufacture herein provided for shall be deemed annulled and withdrawn whenever one-half of the qualified electors of such city shall sign and file with the recorder of such city a written withdrawal of such consent, and thereupon the right to manufacture intoxicating liquor shall cease and all penalties thereto shall again be in force."

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Carney, Carpenter, Palmer, Upton—4.

The nays were.

Senators Alexander, Bell, Berry, Blanchard, Byers, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Everall, Funk, Garst, Gorrell, Harper, Hipwell, Hospers, Hotchkiss, Hurst, Lehfeldt, Lothrop, Penrose, Perrin, Pusey, Rigger, Sargent, Trewin, Waterman, Young—30.

Absent or not voting:

Senators Allyn, Bonson, Eaton, Ellison, Ericson, Gilbertson, Harriman, Healy, Henderson, Hobart, Junkin, Kilburn, Mitchell, Phelps, Ranck, Rowen—16.

So the amendment was lost.

Senator Carpenter offered the following amendment to section 2 by adding the following:

The consent to manufacture, herein provided for, shall be deemed annulled and withdrawn whenever one-half of the qualified electors of such county, township, town or city, wherein or for which the consent to manufacture intoxicating liquors has been given shall sign and file with the county auditor a written withdrawal of such consent, and thereupon the right to manufacture intoxicating liquor shall cease and all penalties therefor shall again be in force.

Lost.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Blanchard, Bonson, Carpenter, Cheshire, Craig, Downey, Ellis, Everall, Funk, Garst, Harper, Hipwell, Hobart, Hospers, Hurst, Lehfeldt, Lothrop, Pusey, Ranck, Trewin, Upton, Waterman—22.

The nays were:

Senators Alexander, Allyn, Bell, Berry, Byers, Carney, Carroll, Druet, Eaton, Ellison, Ericson, Gilbertson, Gorrell, Harriman, Henderson, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Rigger, Rowen, Sargent, Young—27.

Senator Healy was absent.

So the bill failing to receive a constitutional majority was declared to be lost.

Senator Garst, on behalf of Senator Healy, presented the following and asked that it be printed in the Journal:

If present I would vote against substitute for Senate file No. 8, 203 and 324, known as manufacturing bill.

THOS. D. HEALY.

Senator Harper offered the following and asked that it be printed in the Journal:

While I do not believe there is an honest and sincere desire on the part of our friends, the Republicans, to give the people a fair manufacturing bill; while I believe they are wholly satisfied with having slaughtered resubmission and hope for and intend to do no more; and while I believe they are as securely as ever in the voluntary thralldom of the brewers and distillers of other states, yet, because of section 8 of this bill, and what other good features it may possess, I vote "aye," protesting, as I think any true American should, against all of its unholy and mulct features.

T. G. HARPER.

Senator Bonson offered the following and asked that it be printed in the Journal:

I vote "aye" on the ground that the bill is a step towards manufacture and would be a modification of the present law.

ROBT. BONSON.

Senator Downey offered the following and asked that it be printed in the Journal:

I vote "aye" upon this measure for the reason that it is a short step in the right direction, namely, giving our people a chance with the outside world in producing that which the laws permit the citizens to use.

JOHN DOWNEY.

Senator Ranck offered the following and asked that it be printed in the Journal.

In voting "aye" for substitute for Senate files Nos. 8, 203 and 324. I do so with great reluctance, not being in favor of the provisions of the bill requiring "the written statement of consent" to be signed by sixty-five per cent. of the electors of municipalities, when the right to act under its provision is desired. Other parts of the bill are cumbersome and unreasonable. The main reason for voting for the bill is that it will afford some relief, and to a limited extent authorize the right to manufacture spirituous, malt and vinous liquors in parts of the state where its provisions can be complied with.

C. S. RANCK.

Senator Hurst offered the following and asked that it be printed in the Journal:

Because of the good and wholesome features of this bill I vote "aye," but do so with an earnest protest against its cumbersome and unfair features.

A. HURST.

Senator Trewin moved that the Senate do now adjourn.

Carried.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, April 3, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Chas. H. Flesher, Valley Junction, Iowa.

INTRODUCTION OF BILLS.

By Senator Palmer, Senate File No. 445, a bill for an act to amend section 3072 of the Code, enlarging amount of exempt property to mechanics.

Read first and second time and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Senator Gorrell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 420, a bill for an act to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled "An act empowering cities under special charters to establish Boards of Health," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 408, a bill for an act to amend section 3956 of the code of Iowa, relative to assisting prisoners to escape, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "with or without a warrant," as proposed, and inserting the same words after the word "custody" in the same line, and as so amended it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 281, a bill for an act to exempt crematoriums from taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

On motion of Senator Gorrell, Senate file No. 430, a bill for an act legalizing the action of the board of directors of the district township of Poweshiek, in Jasper county, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Bill read for information.

Senator Gorrell moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hobart, Hospers, Junkin, Kilburn, Lethrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Allyn, Carpenter, Ellison, Harriman, Healy, Hipwell, Hotchkiss, Hunt, Lehfeldt, Ranck, Upton—11.

So the bill passed and the title was agreed to.

On motion of Senator Mitchell, Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa Infantry for "gray" uniforms purchased during the war, with report of committee recommending certain amendments, and when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Mitchell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hobart, Hospers, Hotchkiss, Lothrop, Mitchell, Palmer, Perrin, Phelps, Rigger, Rowen, Trewin, Upton, Waterman, Young—35.

The nays were:

None.

Absent or not voting:

Senators Bonson, Carpenter, Ellison, Everall, Harriman, Healy, Hipwell, Hurst, Junkin, Kilburn, Lehfeldt, Penrose, Pusey, Ranck, Sargent—15.

So the bill passed and the title was agreed to.

Senator Ranck offered the following resolution:

Resolved, That the chairman of the Committee on Appropriations shall at any time be permitted to call up any appropriation bill that has been reported to the Senate, and ask its consideration, and all orders, special or otherwise, shall give way to the consideration of such bills.

Adopted.

Senator Eaton filed the following motion:

I move to recall from the House Senate file No. 431, pending motion to reconsider vote by which same was passed.

WILLIAM EATON.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following bill, in which the concurrence of the House was asked:

Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and ordinances passed by the council of said town.

JAMES D. ROWEN.

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 267, a bill for an act to prevent the manufacture and sale of adulterated food and drugs.

House file No. 495, a bill for an act to legalize the official acts of the town council and the ordinances of the incorporated town of Scranton, Greene county, Iowa.

House file No. 472, a bill for an act to amend section three (3) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly, to transfer Harrison county from the Fourth to the Fifteenth judicial district.

House file No. 469, a bill for an act to amend section 902 of the Code of Iowa, limiting the time for bringing actions on tax deeds

JAS. D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

On motion of Senator Funk, House file No. 119, a bill for an act relating to the extermination of Russian thistles, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Bill read for information.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hurst, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellison, Healy, Hotchkiss, Lehfeldt, Mitchell, Penrose, Sargent, Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Cheshire, Senate file No. 256, a bill for an act to provide for the payment of the balance of salary due N. B. Raymond as reporter of the Supreme court for the year ending January 7, 1895, with report of committee recommending certain amendments, and that when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Perrin, Phelps, Pusey, Riggen, Rowen, Trewin, Upton, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Downey, Ellison, Harper, Hospers, Kilburn, Lehfeldt, Mitchell, Penrose, Ranck, Sargent, Young—12.

So the bill passed and the title was agreed to.

On motion of Senator Ericson Senate file No. 257, a bill for an act to aid in bringing the Iowa reports of the Iowa supreme court decisions up to date and providing compensation therefor with report of committee recommending certain amendments and that when so amended it do pass, was taken up, considered and the report of the committee adopted.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Perrin, Phelps, Pusey, Ranck, Riggen, Rowen, Trewin, Upton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Byers, Eaton, Ellis, Ellison, Healy, Kilburn, Lehfeldt, Mitchell, Palmer, Penrose, Sargent, Waterman—12.

So the bill passed and the title was agreed to.

On motion of Senator Trewin, Senate file No. 27, a bill for an act to pay to the widow of Hon. L. O. Hatch, late district judge of the Thirteenth judicial district of Iowa, deceased, the salary of his unexpired term as such judge, with report of committee recommending a substitute, and that when the substitute

is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Trewin, Upton—40.

Senator Waterman voted in the negative.

Absent or not voting:

Senators Eaton, Ellison, Healy, Kilburn, Lehfeldt, Mitchell, Penrose, Sargent, Young—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has returned the following bill, on request by the Senate, Senate file No. 431, a bill for an act to regulate the purchase of materials, articles and supplies for State institutions.

JAMES D. ROWEN,
Chief Clerk.

On motion of Senator Hobart, Senate file No. 362, a bill for an act to enable the trustees or commissioners of State institutions to lay out, establish, vacate, or change public highways through land owned by the State on which State institutions are situated, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Hobart moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Phelps, Pusey, Ranck, Rigger, Rowen, Upton, Waterman, Young—42.

The nays were:

None.

Absent or not voting:

Senators Craig, Healy, Hurst, Lehfeldt, Penrose, Perrin, Sargent, Trewin—8.

So the bill passed and its title was agreed to.

On motion of Senator Alexander Senate file No. 211, a bill for an act repealing section 2, chapter 7, of the laws of the Twenty-fifth General Assembly, relating to paving, curbing and sewer-ing in cities under special charters, and all cities having a population of 5,000 or more, and enacting a substitute therefor, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

The hour for the special order, Senate file No. 423, having arrived, Senator Carney moved that the special order be continued until the bill under consideration is disposed of.

Carried.

Bill was read for information.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—43.

The nays were:

Senators Garst and Harper—2.

Absent or not voting:

Senators Carney, Healy, Hipwell, Lehfeldt, Waterman—5.

So the bill passed the Senate.

Senator Lothrop moved to amend the title by inserting after the word "class" the words "and cities acting under special charter."

Adopted.

So the title as amended was agreed to.

On motion of Senator Harper, House file No. 290, a bill for an act to authorize the assessment, levy and collection of taxes

for park purposes, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Bill read for information.

Senator Harper moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hospers, Hurst, Junkin, Mitchell, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

Senator Lothrop voted in the negative.

Absent or not voting:

Senators Healy, Hobart, Hotchkiss, Kilburn, Lehfelddt, Phelps, Pusey—7.

So the bill passed and its title was agreed to.

Senator Garst called up resolution relative to a sifting committee.

On this the yeas and nays were demanded.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Byers, Lothrop, Phelps—3.

The nays were:

Senators Alexander, Allyn, Bell, Berry, Bianchard, Bonson, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Hipwell, Hospers, Hotchkiss, Junkin, Palmer, Ranck, Rigger, Rowen, Trewin, Upton, Waterman, Young—34.

Absent or not voting:

Senators Carney, Downey, Healy, Henderson, Hobart, Hurst, Kilburn, Lehfelddt, Mitchell, Penrose, Perrin, Pusey, Sargent—13.

So the resolution was not adopted.

Senator Waterman called up special order, concurrent resolution, relative to adjournment.

On the amendment offered by Senator Berry the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Berry, Carney, Carpenter, Ellison, Harriman, Junkin, Mitchell, Penrose, Trewin—9.

The nays were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—38.

Absent or not voting:

Senators Harper, Healy, Lehfeldt—3.

So the amendment was lost.

Senator Cheshire offered the following substitute for the concurrent resolution:

Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives of the Twenty-sixth General Assembly shall each declare their respective houses adjourned sine die on Saturday, April 11, 1896, at 12 o'clock noon.

Senator Berry moved the previous question.

On the question, "Shall the main question be now put?" a division was called for, and the main question was ordered.

On the question, "Shall the substitute be adopted?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—36.

The nays were:

Senators Berry, Byers, Carney, Carpenter, Carroll, Ellison, Harriman, Hurst, Junkin, Mitchell, Penrose, Trewin—12.

Absent or not voting:

Senators Healy and Lehfeldt—2.

So the substitute was adopted.

The motion recurring on the concurrent resolution.

On the question, "Shall the concurrent resolution as amended be adopted?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk,

Garst, Gilbertson, Gorrell, Harper, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—36:

The nays were:

Senators Berry, Byers, Carney, Carpenter, Carroll, Ellison, Harriman, Hurst, Junkin, Mitchell, Penrose, Trewin—12.

Absent or not voting:

Senators Healy and Lehfeldt—2.

So the concurrent resolution as amended was adopted.

BILLS ON SECOND READING.

On motion of Senator Kilburn, Joint resolution No. 9, a joint resolution to amend the State constitution in relation to suffrage, with report of committee recommending the same do pass, was taken up, considered and the report of the committee adopted.

Senator Kilburn moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Byers, Carney, Cheshire, Craig, Eaton, Ericson, Harriman, Henderson, Hotchkiss, Kilburn, Lothrop, Mitchell, Penrose, Perrin, Phelps, Rigger, Rowen, Sargent, Young—23.

The nays were:

Senators Berry, Bonson, Carpenter, Carroll, Druet, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hobart, Hospers, Hurst, Junkin, Palmer, Pusey, Ranck, Trewin, Upton—23.

Absent or not voting:

Senators Downey, Healy, Lehfeldt, Waterman—4.

So Joint resolution No. 9 was lost.

On motion of Senator Craig, special order, Senate file No. 423, a bill for an act to amend section 15, chapter 58 of the laws of the Twenty-first General Assembly, relating to the powers of the Board of Commissioners of the Iowa Soldiers' Home, was taken up.

Senator Craig offered the following substitute for the bill:

A BILL

For an act to amend section 15 of chapter 58 of the laws of the Twenty-first General Assembly, relating to the powers of the board of commissioners of the Iowa Soldiers' Home.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 15 of chapter 58 of the laws of the Twenty-first General Assembly be, and the same is hereby amended by adding at the end of said section the following: "*Provided*, that in making the regulations governing admissions, maintenance and discharge of the inmates of said Home, it shall be lawful for said board of commissioners to make it a condition for the admission to said Home, that all soldiers admitted thereto, receiving a pension from the United States, shall pay the same over to the board of commissioners, and in all cases where such soldier has a wife, children, parent or parents, sisters, brothers or grandchildren, in needy circumstances, said board of commissioners shall pay all in excess of six dollars per month to the relatives above named, the commandant of said Home in all cases to be satisfied as to the worthiness and necessities of such beneficiaries.

In all cases where such soldier has no wife, children, parent or parents, sisters, brothers or grandchildren in needy circumstances, said commissioners may use said excess in their discretion for the benefit of such pensioner, and pay the surplus of such excess, if any, to such pensioner within ninety (90) days after receiving a discharge from the Home. The remainder of said pension to be paid to the pensioner in equal monthly installments.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa."

Substitute was read first and second time.

Senator Lothrop moved to amend section 1 by adding thereto "providing that in admission to the Home, preference shall in all cases be given to soldiers drawing no pensions."

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Parrott presiding.

The Journal of Thursday was taken up, read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Carroll presented resolution of Elisha B. Townsend Post G. A. R., at Bloomfield, and asked that it be read, with privilege of withdrawing same.

Senator Penrose moved to take up House messages.
Carried.

On request of Senator Hunt leave of absence was granted Senator Hipwell until Monday.

HOUSE MESSAGES.

House file No. 469, a bill for an act to amend section 902 of the Code of Iowa, limiting the time for bringing actions on tax deeds, was read first and second time and referred to the Committee on Judiciary.

House file No. 267, a bill for an act to prevent the manufacture and sale of adulterated food and drugs, was read first and second time and referred to the Committee on Public Health.

House file No. 495, a bill for an act to legalize the official acts of the town council and the ordinances of the incorporated town of Scranton, Greene county, Iowa, was read first and second time and referred to the Committee on Judiciary.

House file No. 472, a bill for an act to amend section three (3) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly, to transfer Harrison county from the Fourth to the Fifteenth judicial district, was read first and second time and referred to Committee on Congressional and Judicial Districts.

Senate file No. 376, as amended, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and ordinances passed by the council of said town.

Senator Penrose moved that the Senate concur in the House amendment to the bill.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Berry, Druet, Eaton, Ellis, Ericson, Harriman, Healy, Hipwell, Hobart, Hurst, Lehfeltdt, Mitchell, Young—13.

So the amendment was concurred in.

Senate file No. 37, a bill for an act to amend section 2178 of the Code in relation to the sale of property by carriers for charge, was taken up.

Senator Harper moved that the Senate concur in the House amendment to the bill.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Carney, Carpenter, Carroll, Chesbire, Craig, Downey, Druet, Eaton, Ellison, Everall, Funk, Gilbertson, Gorrell, Harper, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Berry, Byers, Ellis, Ericson, Garst, Harriman, Healy, Hipwell, Hobart, Hurst, Lehfeltdt, Mitchell, Phelps, Pusey, Upton, Young—16.

So the amendment was concurred in.

The Senate resumed consideration of amendments by Senator Lothrop to substitute for Senate file No. 423.

Senator Lothrop was permitted to withdraw his amendment to the substitute.

Senator Waterman moved to reconsider the vote by which the substitute for Senate file No. 423 was adopted.

Senator Hospers moved the previous question.

On the question "Shall the main question be put," the motion was lost.

On the motion to reconsider a division was called for, and the motion was lost.

Senator Lothrop offered the following amendment to section 1:

Add thereto, "*provided*, that in admissions to the Home preference shall in all cases be given to soldiers drawing no pension."

Adopted.

Senator Trewin offered the following amendment to section 1:

Add the following to section 1: "All funds held by the commissioners under the provisions of this act shall be deposited in a bank for the benefit of such pensioners, at the best rate of interest obtainable."

On this a division was called for and the amendment was adopted.

Senator Craig moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

The nays were:

Senators Blanchard, Byers, Carpenter, Hospers—4.

Absent or not voting:

Senators Downey, Healy, Hipwell, Lehfeldt—4.

So the bill passed and its title was agreed to.

Senator Blanchard offered the following and asked that it be printed in the Journal:

I vote "no" for the reason that I do not believe that the disposition of the soldier's pension should depend upon the discretion of the commissioners.

L. C. BLANCHARD.

On motion of Senator Ellis, House file No. 281, a bill for an act to exempt crematoriums from taxation, with report of committee, was taken up, considered, and the report of the committee adopted.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Bell, Byers, Carney, Craig, Ellis, Ellison, Everall, Funk, Gorrell, Harper, Henderson, Hurst, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen—22.

The nays were:

Senators Alexander, Berry, Blanchard, Bonson, Carpenter, Carroll, Downey, Druet, Eaton, Ericson, Garst, Gilbertson, Harriman, Hobart, Hospers, Junkin, Lothrop, Pusey, Sargent, Trewin, Upton, Young—22.

Absent or not voting:

Senators Cheshire, Healy, Hipwell, Hotchkiss, Lehfeldt, Waterman—6.

So the bill was declared to be lost.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Joint Resolution for an amendment to the constitution of the State of Iowa, proposing the repeal of sections 34, 35 and 36 of article 3 of the constitution.

House file No. 165, a bill for an act for the relief of Hiram Redden.

House file No. 372, a bill for an act to repeal section 1, chapter 7, of the acts of the Twenty-fourth General Assembly, relating to compensation of mayor when acting as justice of the peace in cities of the second class and incorporated towns.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bills, in which the concurrence of the House was asked:

Senate file No. 140, a bill for an act to prevent the spread of disease among swine.

Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes in Dickinson county, to be public navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health, and for the culture of fish therein.

JAMES D. ROWEN,
Chief Clerk.

Senators Carpenter and Blanchard filed the following:

We hereby move to reconsider the vote by which House file No. 281 was defeated.

C. A. CARPENTER,
L. C. BLANCHARD.

Senator Penrose moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, April 4, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. M. Todd, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Hotchkiss presented petition of D. P. Refress and others for additional normal schools.

Referred to Committee on Schools.

Senator Hobart presented petition of C. Allison and others for increased armory rent and rifle practice allowance for National Guard of Iowa.

Referred to Committee on Military.

Senator Kilburn moved that Senate file No. 94 be recommitted to Committee on Labor.

Carried.

INTRODUCTION OF BILLS.

By Senator Waterman, Senate file No. 446, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15 laws of the Twenty-fourth General Assembly, and chapter three laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-sixth General Assembly relating to indebtedness of cities and towns.

Senator Waterman moved that this bill be taken up now.

Carried.

The bill was read for information.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison,

Ericson, Funk, Garst, Gilbertson, Harper, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Ellis, Everall, Gorrell, Harriman, Healy, Hipwell, Junkin, Lehfeltdt, Trewin, Young—13.

So the bill passed and the title was agreed to.

By Senator Penrose, Senate file No. 447, a bill for an act to extend the time of the incorporation of Oak Hill Cemetery Association of Benton county, Iowa, and to legalize all the acts of its officers in selling and conveying lots.

Read first and second time.

On motion of Senator Penrose the bill was taken up.

The bill was read for information.

Senator Penrose moved that the rule be suspended, the bill considered engrossed, and that the reading just had be the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Garst, Gilbertson, Harper, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Waterman, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Ellis, Everall, Funk, Gorrell, Harriman, Healy, Hipwell, Hospers, Lehfeltdt, Trewin, Upton—14.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes in Dickinson county to be public navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health, and for the culture of fish therein.

Senator Funk moved that the Senate concur in the House amendments to the bill.

On the question, "Shall the House amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Byers, Carney, Carpenter, Corroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent Trewin, Young—36.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Bonson, Ellis, Everall, Gorrell, Harriman, Healy, Hipwell, Hobart, Hurst, Lehfelddt, Lothrop, Upton, Waterman—14.

So the House amendments were concurred in.

House file No. 165, a bill for an act for the relief of Hiram Ridden, was read first and second time and referred to Committee on Claims.

Senate file No. 140, a bill for an act to prevent the spread of disease among swine, was read.

Senator Ericson moved that the Senate concur in the House amendment to the bill.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Eaton, Ellison, Ericson, Garst, Gilbertson, Harper, Henderson, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Waterman, Young—33.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Druet, Ellis, Everall, Funk, Gorrell, Harriman, Healy, Hipwell, Hobart, Hospers, Hurst, Lehfelddt, Lothrop, Ranck, Trewin, Upton—17.

So the amendment was concurred in.

HOUSE MESSAGES.

House file No. 372, a bill for an act to repeal section 1, chapter 7, of the acts of the Twenty-fourth General Assembly,

relating to compensation of mayors when acting as justices of the peace in cities of the second class and incorporated towns, was read first and second time and referred to Committee on Cities and Towns.

Joint Resolution No. 9, for an amendment to the constitution of the State of Iowa, proposing the repeal of sections 34, 35 and 36 of article 3 of the constitution, was read first and second time and referred to Committee on Constitutional Amendments and Suffrage.

REPORTS OF STANDING COMMITTEES.

Senator Funk, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 47, a bill for an act to revise, amend and codify laws in relation to revenues, beg leave to report that they have had the same under consideration, and have instructed me to report chapter 1 of the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and when so adopted that the same do pass.

A. B. FUNK,
Chairman.

Ordered passed on file.

Five hundred copies ordered printed.

Senator Penrose, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate file No. 234, a bill for an act to provide for the protection and safety of the public and employes of railways operated by electricity and to require such railways to vestibule and enclose the platforms of their cars, provide extra brakes and be under the control of the Railway Commission, and to provide a penalty for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. G. PENROSE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House file No. 298, a bill for an act declaring express companies common carriers and providing for their regulation and control by the railroad commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted therefor, and that when so substituted the same do pass.

SUBSTITUTE FOR HOUSE FILE NO. 298.

A bill for an act declaring express companies common carriers, and providing for their regulation and control by the railroad commissioners

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That all express companies are hereby declared to be common carriers, and the railroad commissioners shall have general supervision of all express companies, and shall inquire into any unjust discrimination, neglect, or violation of the laws governing common carriers, by any express company, or by the officers, agents, or employes thereof; and said commissioners are empowered and directed, so far as it may be expedient and practicable under existing statutes to make for the express companies, as soon as they may find it practicable, a schedule of reasonable maximum charges or rates for transportation of all property carried by such express companies.

SEC. 2. The board of railway commissioners may require the express companies, subject to the provisions of this act, to file with said board copies of all rates and schedules of charges for the transportation of property.

E. G. PENROSE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate file No. 367, a bill for an act to amend chapter 163 of the acts of the Twentieth General Assembly, relating to the stopping of trains at railway crossings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the matter is under consideration in the proposed Code Revision.

E. G. PENROSE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate file No. 264, a bill for an act to compel street railway companies to protect certain of their employes from the inclemencies of the weather, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. G. PENROSE,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of A. F. Hockett, a life prisoner confined in the penitentiary at Fort Madison for murder, beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the pardon asked for be granted.

J. E. ROWEY,
Chairman

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 41, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled "An act to prohibit the sale and use of impure oil in coal mines, and providing penalties for violation thereof."

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 403, a bill for an act to provide for the payment of the current expense fund for the hospitals for the insane quarterly in advance.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 390, a bill for an act authorizing counties, cities, townships and other municipal corporations to take and hold property by gift and bequest and providing for the management of the same.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 392, a bill for an act to amend section 4022 of the Code of 1873, relating to the importation, printing, publishing, selling and distributing of obscene books and pictures.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 272, a bill for an act to amend section 3721 of the Code of 1873, in respect to taking depositions.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 204, a bill for an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly, relating to funding indebtedness of cities and towns.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 163, a bill for on act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 373, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnefred J. Byrne.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 24, a bill for an act requiring that juvenile prisoners be kept apart from older offenders.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 5, a bill for an act to amend chapter 13, title 12, of the Code, in relation to the state library, and to provide for an extension of the use thereof.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all acts done, and the ordinances passed by the council of said town.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 37, a bill for an act to amend section 2178 of the Code, in relation to the sale of property by carriers and others for charges.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Carpenter moved to reconsider the vote by which House file No. 281 was lost.

Carried.

Senator Carpenter moved to reconsider the vote by which the bill was passed to a third reading.

Carried.

On motion of Senator Alexander, Senate file No. 424, a bill for an act legalizing the ordinances of the City of Marion, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—36.

The nays were:

None.

Absent or not voting:

Senators Berry, Blanchard, Craig, Ellis, Everall, Gorrell, Harriman, Healy, Hipwell, Hospers, Lehfeldt, Mitchell, Pusey, Trewin—14.

So the bill passed and the title was agreed to.

On motion of Senator Perrin, House file No. 325, a bill for an act to amend chapter 62 of the acts of the Twenty-fifth General Assembly, entitled "An act to tax the traffic in intoxicating liquors, and to regulate and control the same," with the report of the committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Perrin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Carpenter, Cheshire, Craig, Downey, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Hobart, Hospers, Hurst, Junkin, Lothrop, Palmer, Perrin, Pusey, Ranck, Rigger, Sargent, Trewin, Upton, Waterman, Young—31.

The nays were:

Senators Berry, Carroll, Druet, Eaton, Harriman, Henderson, Hotchkiss, Kilburn, Mitchell, Rowen—10.

Absent or not voting:

Senators Bell, Ellis, Ellison, Gorrell, Healy, Hipwell, Lehfeldt, Penrose, Phelps—9.

So the bill passed and the title was agreed to.

On motion of Senator Rigger, House file No. 146, a bill for an act to amend section 4305 of McClain's Code, relative to the expenditure of insane soldiers' pensions, with report of com-

mittee recommending certain amendments, and that when so amended it do pass, was taken up and considered.

Senator Rikken moved to amend the report of the committee by striking out the words "soldiers' benefit" in the ninth line and inserting in the fourth line the words "benefit of the pensioner or his family."

Carried.

Senator Rikken moved to amend the report by striking out the word "pensioner" before the word "benefit" and insert the word "soldier" in lieu thereof.

Carried.

The report of the committee as amended was adopted.

Senator Rikken moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the motion, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Berry, Ellis, Healy, Gorrell, Hipwell, Junkin, Lehfeltdt, Ranck, Young—9.

So the bill passed and the title was agreed to.

Senator Funk offered the following resolution and asked that it be laid over:

Resolved, That the President of the Senate is hereby directed to appoint a sifting committee, consisting of nine members, and when so appointed, all bills other than appropriation bills be referred to said committee, and that hereafter no bills except appropriation bills shall be considered unless favorably reported by said committee; said reported bills to be taken up for consideration in the order in which they are reported; *provided*, that the mover of this resolution be not appointed as chairman of said committee.

Senator Eaton called up motion to reconsider the vote by which Senate file No. 431 was passed.

Senator Eaton moved that the vote by which Senate file No. 431 was passed be reconsidered.

Carried.

Senator Eaton moved that the vote by which the bill was passed to third reading be reconsidered.

Carried.

President *pro tem* Funk presiding.

Senator Eaton moved that the bill be recommitted to the Committee on Judiciary, with instruction to report the bill back by Monday.

Senator Harriman moved the previous question.

On the question, "Shall the main question be put?" the motion prevailed.

On the question, "Shall the bill be recommitted?" the yeas were:

Senators Allyn, Bell, Byers, Eaton, Ellison, Ericson, Gilbertson, Henderson, Hobart, Hospers, Hurst, Lothrop, Palmer, Penrose, Pusey, Ranck—16.

The nays were:

Senators Alexander, Berry, Blanchard, Bonson, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Everall, Garst, Harper, Harriman, Hotchkiss, Junkin, Kilburn, Mitchell, Perrin, Phelps, Rikken, Rowen, Sargent, Trewin, Upton, Young—26.

Absent or not voting:

Senators Carroll, Ellis, Funk, Gorrell, Healy, Hipwell, Lehfeldt, Waterman—8.

So the motion was lost.

Senator Cheshire moved that the bill be considered by sections.

Carried.

Senator Young moved to amend the bill by striking out sections 2 and 3.

Adopted.

Senator Ellison offered the following amendment:

I move to amend section 4 by striking out of the first line thereof the words "executive council" and insert in lieu thereof the words "superintendents, wardens, regents, and trustees of all State institutions."

Adopted.

President Parrott presiding.

Senator Pusey offered the following amendment:

I move to amend section 4 by inserting after the word "supplies" in line three the words "which are not of a perishable nature."

On this a division was called for and the amendment was adopted.

Senator Ellison offered the following amendment:

I move to amend section 4 by striking out the words "state institutions separately" in the fifth line and insert in lieu thereof the words "of their respective institutions."

Adopted.

Senator Carroll offered the following amendment to section 1:

Strike out the word "all" in the fourth line and insert the word "no" in lieu thereof, and strike out the word "not" in the third line.

Adopted.

Senator Pusey offered the following amendment to section 1:

Insert the word "except" before the word "when" in line 2. Strike out the words "do not" in line 2, and after the word "articles" in line 3 insert the words "and except when they are of a perishable nature."

Adopted.

Senator Cheshire moved that the time of adjournment be extended fifteen minutes.

Carried.

Senator Cheshire moved to amend section 5, line 1, by striking out the words "executive council" and change the word "the" to "they."

Adopted.

Senator Carroll moved that the sections of the bill be numbered consecutively.

Adopted.

Senator Cheshire moved to amend section 6 by striking out the words "executive council" and change the word "the" to "they."

Adopted.

Senator Druet moved to amend section 8 by striking out the word "adopt" and insert the word "direct."

Adopted.

Senator Ellison moved to amend section 7 by adding the word "regents" before the word "trustee" in the third line.

Adopted.

Senator Carney moved to amend section 2 by inserting the word "commissioner" after the word "regents."

Adopted.

Senator Cheshire moved to amend section 4 by striking out the word "resident" where it appears in the section and insert the words "Iowa" in lieu thereof.

Adopted.

Senator Trewin moved to amend section 5, line 7, by striking out the word "resident" and insert the word "Iowa."

Adopted.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Harriman, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Penrose, Perrin, Pusey, Rigger, Sargent, Trewin, Upton, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Ellis, Gorrell, Healy, Hipwell, Hospers, Kilburn, Lohfeldt, Palmer, Phelps, Ranck, Rowan, Young—12.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. SPEAKER—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 362, a bill for an act to enable the trustees or commissioners of State institutions to lay out, establish, vacate, or change public highways through land owned by the State on which State institutions are situated.

Substitute for Senate file No. 211, a bill for an act repealing section 2, chapter 7, of the laws of the Twenty-fifth General Assembly, relating to paving, curbing and sewerage in cities under special charters, and all cities having a population of 5,000 or more, and enacting a substitute therefor.

Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa Infantry for "gray" uniforms purchased during the war.

Senate file No. 139, a bill for an act to amend section 2344 of the Code of 1973.

JAMES D. BOWEN,

Chief Clerk

Also:

Mr. President—I am directed to inform your honorable body that the House has passed the following concurrent resolutions, in which the concurrence of the Senate was asked:

Concurrent resolution relative to reports of geological survey.

Concurrent resolution relative to supplying copies of McClain's Code to certain members of the House.

Concurrent resolution relative to Tennessee Centennial exposition at Nashville.

JAMES D. BOWEN,

Chief Clerk

The Senate adjourned until 9 o'clock A. M. Monday.

SENATE CHAMBER,
DES MOINES, Iowa, Monday, April 6, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. J. C. R. Leighton, Des Moines.

PETITIONS AND MEMORIALS.

Senator Junkin presented petition of W. E. Ellis and others, asking for an appropriation for National Guard.

Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES.

Senator Rikken, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred substitute for House file No. 483, a bill for an act providing for the appointment and salary of a secretary and treasurer of the Commissioners of Pharmacy, prescribing his duties, providing for him giving bond, and for the inspection, by the governor, of the books and accounts of the commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute be amended as follows, and when so amended that it do pass:

Amend section 1 by striking out the following words: "and shall possess the same qualifications now required of the commissioners themselves in section 3, chapter 75 of the laws of the Eighteenth General Assembly." Also strike out the words "one thousand" where they appear in said section and insert in lieu thereof the words "fifteen hundred." Amend section 2 by striking out the words "copy of said book" and insert in lieu thereof the words "statement thereof of the previous month." Also strike out the word "monthly" and insert the word "quarterly" Also insert after the word "treasury" the following words: "on the first day of January, April, July and October of each year."

J. A. RIGGEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate file No. 443, a bill for an act to amend section 8, of chapter 104, acts of the Twenty-first General Assembly, entitled "An act to regulate the practice of medicine and surgery in the State of Iowa," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows, and when so amended that it do pass:

Strike out of section one the following words: "By striking out in the seventh line the words, 'by any means whatsoever,' and inserting the words 'by the use of medicine and.'"

Also insert after the word "heal" the words "by the practice of osteopathy."

J. A. RIGGEN,

Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 165, a bill for an act for the relief of Hiram Redden, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. J. A. ERICSON,

Chairman.

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report.

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 441, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled, an act to prohibit the sale and use of impure oil in coal mines and providing penalties for violation thereof.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 5, a bill for an act to amend chapter 13, title 12, of the Code, in relation to the State Library, and to provide for an extension of the use thereof.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 37, a bill for an act to amend section 2178 of the Code, in relation to the sale of property by carriers and others for charges.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 204, a bill for an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly relating to funding indebtedness of cities and towns.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 163, a bill for an act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file

No. 24, a bill for an act requiring that juvenile prisoners be kept apart from older offenders.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 384, a bill for an act relinquishing escheat in Hamilton county to Mrs. Winnifred J. Byrne.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 373, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 322, a bill for an act to amend section 4022 of the Code of 1873, relating to the importation, printing, publishing, selling and distributing of obscene books and pictures.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 330, a bill for an act authorizing counties, cities, townships and other municipal corporations to take and hold property by gift and bequest and providing for the management of the same.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 272, a bill for an act to amend section 3721 of the Code of 1873, in respect to taking depositions.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 403, a bill for an act to provide for the payment of the current expense fund for the hospitals for the insane quarterly in advance.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Upton, from the Committee on Senatorial and Representative Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Senatorial and Representative Districts, to whom was referred Senate file No. 428, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into Senatorial districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House file No. 33, a bill for an act to amend chapter 132 of the acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended that it do pass:

Amend section 3, line 4, by inserting after the word "power" the words "upon complaint of two or more persons or upon his failure to otherwise obtain information in accordance with the provisions of this act."

Amend section 5, line 26 by striking out the words "cause of increase or reduction;" also in line 39; strike out the words, "cause of partial or entire suspension;" also in line 40, strike out the words, "How does business compare with the previous year?"

Strike out section 6.

Make section 7 section 6, and change the figure 11, as it appears in lines 1 and 3 to 10.

Make section 8 section 7, and change the figure 12, as it appears in lines 1 and 3 to 11.

Make section 9 section 8.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Kilburn asked that above report be substituted for No. 15 of Friday's Calendar.

So ordered.

Journals of Friday and Saturday were taken up, read, corrected and approved.

HOUSE MESSAGES.

Senate file No. 362, a bill for an act to enable the trustees or commissioners of State institutions to lay out, establish, vacate or change public highways through land owned by the State on which State institutions are situated, was passed on file.

Substitute for Senate file No. 211, a bill for an act repealing section 2, chapter 7, of the laws of the Twenty fifth General Assembly, relating to paving, curbing and sewerage in cities under special charters, and all cities having a population of 5,000 or more, and enacting a substitute therefor, was passed on file.

Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa Infantry for "gray" uniforms purchased during the war, was passed on file.

Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873, was passed on file.

CONCURRENT RESOLUTION.

WHEREAS, Representatives Merrell, Jay and Potter have by some mysterious circumstances been deprived of their copies of McClain's annotated Code: therefore, be it

Resolved by the House, the Senate concurring, That the Secretary of State be and is hereby authorized to supply each of said members with a copy of said Code together with the supplement thereto.

Senator Funk asked that the resolution be laid over.

CONCURRENT RESOLUTION.

WHEREAS, The State of Tennessee intends, in June, 1896, to celebrate with elaborate ceremonies the one hundredth anniversary of her admission into the Union, and in connection therewith hold an industrial and international exhibition from May 1 to October 30, 1897, upon a scale second only to the World's Fair; and,

WHEREAS, Tennessee has invited Iowa to joint her in celebrating this event in her history; and,

WHEREAS, It is the expressed desire of Tennessee on that occasion to display the products, resources and relics of the respective states; therefore, be it

Resolved by the House, the Senate Concurring, That we hereby accept, in fullest meaning, this invitation so cordially extended; that we tender our earnest and hearty congratulations to the State of Tennessee upon her patriotism, enterprise, and the public spirit shown by her citizens; that we thank her for this cordial invitation; that we recommend our citizens generally to make personal exhibits of their products, resources, relics, etc., and that all our citizens attend the Tennessee Centennial exposition at Nashville, if possible and convenient.

Senator Byers moved that Senate concur.

Carried.

Concurrent resolution relative to publication of reports of geological survey.

Senator Carroll moved that the Senate concur in resolution.

Carried.

BILLS ON THIRD READING.

On motion of Senator Garst, Senate file No. 356, a bill for an act amending section 2410 of the Code, relative to the statutory denial of claims filed against estates of decedents.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Bonson, Carpenter, Carroll, Cheshire, Craig, Downey, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Hobart, Hospers, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Ranck, Sargent, Trewin, Upton, Waterman—29.

The nays were:

Senators Allyn, Berry, Henderson, Hotchkiss, Pusey, Young—6.

Absent or not voting:

Senators Blanchard, Byers, Carney, Druet, Eaton, Ellis, Harriman, Healy, Hipwell, Kilburn, Lehfeldt, Mitchell, Phelps, Rikken, Rowen—15.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

On motion of Senator Cheshire, Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and to provide for the selecting and drawing of jurors, with report of committee recommending certain amendments, and that when the same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that the bill be read section by section, for information and amendments.

Adopted.

Senator Carroll moved to amend the fifth line of section 3 by inserting the word "himself" instead of "him."

Adopted.

Senator Carpenter moved to amend by striking out the word "and" between the words "age" and "action," in section 2, line 5.

Adopted.

Senator Cheshire moved to amend section 4 by striking out the word "and" in line 5, and inserting the word "one" in lieu thereof.

Adopted.

Senator Cheshire moved to amend section 4 by striking the letter "s" off of the word "townships," in line 11.

Adopted.

Senator Cheshire moved to amend section 4 by inserting before the word "townships" the words "township or." in line 8.

Adopted.

Senator Trewin moved to amend section 4 by striking out the word "the" in line 11, and inserting the word "another" in lieu thereof.

Adopted.

Senator Carroll moved to amend section 4 by striking out the word "was" in fourteenth line and inserting the word "were" in lieu thereof.

Adopted.

Senator Carroll offered the following substitute for section 5:

SEC. 5. On or before the first Monday in September in each year the county auditor shall apportion the number of grand and petit jurors to be selected among the several election precincts, and the talesmen among the precincts from which the same are to be drawn in each case as nearly as practicable in proportion to the number of votes polled in such precincts at the last general election.

Adopted.

Senator Waterman presiding.

Senator Berry moved to amend section 8 by striking out the first sentence.

Adopted.

Senator Hotchkiss moved to amend section 8 by inserting the words "than twelve" after the word "less," in the fourth line.

Adopted.

Senator Upton moved to amend section 9 by striking out the last sentence.

Adopted.

Senator Cheshire offered the following amendment to section 11:

In line 9, after the word "appropriate," insert the word "petit"; after the word "jury" and before the words "grand jury," insert the word "or," and strike out the word "or" at end of line. In line 10 strike out the word "talesman." In line 7 strike out the first word "jury" and insert "the" after "or" and before "petit."

Adopted.

Senator Cheshire moved to amend section 11 by striking out the words "be done," in nineteenth line, and inserting the word "proceed" in lieu thereof.

Adopted.

Senator Berry moved to amend section 11 by striking out of line 2 the word "recorder" and inserting the word "sheriff" in lieu thereof.

Lost.

Senator Carroll moved to amend section 11 by inserting the word "be" after the word "jurors" in twentieth line.

Adopted.

Senator Berry moved to amend section 11 by inserting the word "jurors" instead of the word "jury" in line three.

Adopted.

Senator Perrin moved to amend section 11 by inserting the words "so drawn" after the word "jurors" in line 20.

Adopted.

Senator Junkin moved to amend section 12 by striking out all after the word "cause" in line 3 and insert the words "may be punished for contempt" in lieu thereof.

Adopted.

Senator Upton moved to amend section 13 by striking out the word "drawn" in line 20 and insert the word "impaneled" in lieu thereof.

Lost.

Senator Carroll moved to amend section 13 by striking out the words "which has been called" in the first line.

Adopted.

President Parrott presiding.

Senator Berry moved to amend section 14 as follows:

Insert after the word "court," in the third line, the words "but the impaneling of the grand and petit juries may be postponed to a subsequent day by order of the court or judge."

Adopted.

Senator Perrin moved to amend section 14 by striking out the words "a rule," in the fifth line, and inserting the words "an order" in lieu thereof.

Adopted.

Senator Carpenter offered the following amendment to section 14:

Strike out "fined," in the sixth line, and insert "punished" in lieu thereof; and strike out lines 7 and 8 and insert the words "he may be punished for contempt" in lieu thereof.

Adopted.

Senator Cheshire moved to amend section 14 by striking out of the fifth line the words, "returnable at that or the succeeding term."

Adopted.

Senator Perrin moved to amend section 14 by striking out the word "issue" in the fourth line, and inserting the word "make" in lieu thereof.

Lost.

Senator Barry moved to amend section 18 by adding thereto the following:

Provided, that the court may, in its discretion, in all cases except those triable on indictment, order the sheriff to summon such from the body of the county.

Lost.

Senator Carroll offered the following amendment to section 15:

Substitute for last part of line one and all of lines two and three and first part of line four the following:

The petit jurors shall be fifteen in number in counties having a population of less than fifteen thousand, and twenty-four in counties of fifteen thousand or more, unless the court shall otherwise order.

Lost.

Senator Cheshire moved to amend section 18 by inserting the word "such" in line 14.

Adopted.

Senator Cheshire moved to amend section 18, by striking out the words "from which" in line four.

Adopted.

Senator Carpenter moved that an enacting clause be added.

Carried.

Senator Carpenter offered the following amendment to section 8:

Strike out the words "grand jurors" in second line and insert the word "persons" in lieu thereof.

Adopted.

Senator Carpenter offered the following amendment to section 8:

Strike out in third line the words "serve one year" and add "constitute the panel from which to select grand jurors for one year."

Adopted.

Senator Cheshire moved to reconsider the vote by which the amendment offered by Senator Upton was lost.

Carried.

The question recurring to the motion by Senator Upton which was as follows:

Strike out the word "drawn" in line twenty, section 13, and insert the word "impaneled" in lieu thereof.

Adopted.

Senator Bonson offered the following amendment to section 6.

Insert after the word "served" and before the word "of" in line fifteen the words "or been returned for service."

Adopted.

Senator Lothrop offered the following amendment to section 6:

Strike out of lines 1 and 2 the words, "furnishing the poll book to the judges of election," and insert in lieu thereof the words "the meeting of Board of Supervisors held to canvass the vote polled in the county;" strike out of line 2 the words, "there also," and insert in lieu thereof the words, "said board;" strike out of said line 2 the word "these," and insert in lieu thereof the word "the;" insert after the word "precincts," in line 3, the words, "of the county;" also strike out all commencing with the words "the judges," in line 5, down to and including the word "required," in line 7; also strike out the word "such" in line 8, and strike out the word "delinquent" in line 9 and insert the word "several" in its place; add after the word "precincts," in line 9, the words "of the county;" also strike out the words "and the judges of election or," in line 11, and insert in lieu thereof the word "the." Strike out the words "election boards or" in line 16.

Lost.

Senator Upton moved to amend the bill by adding the words "so far as applicable" to section 16.

Adopted.

Senator Ellis moved that the bill be ordered engrossed.

Carried.

On motion of Senator Craig, House file No. 83, a bill for an act to amend section 12, chapter 48, of the acts of the Twenty-second General Assembly, relating to the registration of voters, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Craig moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Carney, Ellis, Ellison, Harper, Harriman, Hipwell, Lehfeldt, Penrose, Waterman—9.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances.

Senate file No. 317, a bill for an act to amend section 3061 of the Code, relating to the rate of interest on judgments where a stay of execution is taken.

Senate file No. 424, a bill for an act to legalize the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances in 1895.

Senate file No. 430, a bill for an act to legalize the actions of the board of directors of the district township of Poweshiek and Jasper counties.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bills in which the concurrence of the House was asked:

Senate file No. 197, a bill for an act to amend section 3173 of the Code in reference to amount involved in cases of appeal to the supreme court.

Senate file No. 28, a bill for an act to amend section 4026, Code of Iowa, relating to testimony in prosecutions for gambling.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bills, in which the concurrence of the Senate is asked:

Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county fund and county bridge fund.

Senate file No. 68, a bill for an act relative to trimming hedges and keeping down noxious weeds in highways.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate was asked:

House file No. 502, a bill for an act to repeal sections 1, 2 and 3, chapter 51, of the acts of the Twenty-fourth General Assembly, in relation to the

name of, object of, and persons eligible to the Industrial Home for the Blind at Keokuk, Iowa, and to provide a substitute therefor.

House file No. 509, a bill for an act to provide for the allowance and payment of \$275 to the widow of the late F. McClelland, a member of this House.

House file No. 277, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the State.

JAS. D. ROWEN,
Chief Clerk

Senator Blanchard moved to take up House messages.
Carried.

HOUSE MESSAGES.

Senate file No. 430, a bill for an act to legalize the actions of the board of directors of the district township of Poweshiek and Jasper counties, was read first and second time and passed on file.

Amended and passed substitute, Senate file No. 424, a bill for an act legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances of 1895.

Senator Alexander moved that the Senate concur in House amendments.

On the question, "Shall the Senate concur in House amendments to bill?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kiburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Riggen, Rowen, Sargent, Trewin, Young—39.

The nays were:

None.

Absent or not voting:

Senators Carney, Carpenter, Ellis, Harper, Harriman, Higwell, Pusey, Ranck, Upton, Waterman, Lehfeldt—11.

So the House amendments were concurred in.

Substitute for Senate file No. 68, a bill for an act relative to trimming Osage orange, willow and all other hedge fence along the highway and for keeping the roads clean of weeds.

Senator Gorrell moved that the time of adjournment be extended until this bill is disposed of.

Senator Gorrell moved that the Senate concur in House amendment.

On the question, "Shall the Senate concur in House amendment?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Phelps, Rikken, Rowen, Sargent, Upton—35.

The nays were:

None.

Absent or not voting:

Senators Carney, Carpenter, Everall, Harper, Harriman, Hipwell, Hospers, Kilburn, Lehfeldt, Mitchell, Pusey, Ranck, Trewin, Waterman, Young—15.

So the amendments were concurred in.

Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Parrott presiding.

HOUSE MESSAGES.

Senate file No. 317, a bill for an act to amend section 3061 of the Code, relating to the rate of interest on judgments where a stay of execution is taken, was taken up and considered.

Senator Blanchard moved that the Senate concur in the House amendment to the bill.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Henderson, Hobart, Hospers, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Sargent, Trewin, Upton—36.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Harriman, Healy, Hipwell, Hotchkiss, Hurst, Lehfeldt, Mitchell, Penrose, Ranck, Rigger, Rowen Waterman, Young—14.

So the House amendment was concurred in.

Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county fund and county bridge fund.

Senator Phelps moved that the Senate concur in the House amendments to the bill.

On the question, "Shall the amendments be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Funk, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Upton—36.

The nays were:

None.

Absent or not voting:

Senators Bonson, Carpenter, Eaton, Ericson, Everall, Garst, Harriman, Hipwell, Lehfeldt, Rigger, Rowen, Trewin, Waterman, Young—14.

So the amendments were concurred in.

Senate file No. 28, a bill for an act to amend section 4026, Code of Iowa, relating to testimony in prosecutions for gambling, was read and passed on file.

Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances, was read and passed on file.

House file No. 509, a bill for an act to provide for the allowance and payment of \$275 to the widow of the late F. McClelland, a member of this House.

The bill was read for information.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Healy,

Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Eaton, Ericson, Harper, Harriman Hipwell, Lehfeldt, Rikken, Young—9.

House file No. 277, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the state, was read first and second time and referred to Committee on Claims.

House file No. 502, a bill for an act to repeal sections 1, 2 and 3, chapter 51 of the acts of the Twenty-fourth General Assembly, in relation to the manner of, object of, and persons eligible to the Industrial Home for the Blind, at Knoxville, Iowa, and provide a substitute therefor.

Senator Druet moved that the bill be considered now.

Carried.

Bill was read for information.

Senator Healy moved that the bill be referred to the Committee on Charitable Institutions.

On this a division was called for, and the motion prevailed.

Senate file No. 197, a bill for an act to amend section 3173 of the Code in reference to amount involved in cases of appeal to the supreme court, was read and passed on file.

On motion of Senator Blanchard, Senate file No. 832, a bill for an act to amend section 3106 of the Code of 1873, relating to redemption from execution sales of real estate, with report of committee recommending a substitute for Senate files Nos. 332 and 326, and House file No. 118, and that when adopted the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Trewin, Upton—36.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Eaton, Ericson, Everall, Harper, Hariman, Hipwell, Junkin, Lehfeldt, Mitchell, Rigger, Rowen, Waterman, Young—14.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, April 6, 1896. }

MR. PRESIDENT—I am instructed by the Governor to inform the honorable the Senate that he has approved, signed, and deposited in the office of the Secretary of State, bills as follows:

Senate file No. 9, an act to amend section 3861 of the Code of 1873, as amended by chapter 114 of the acts of the Twenty-first General Assembly.

Senate file No. 32, an act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Senate file No. 111, an act to authorize the State or any county or other municipal corporation to receive, hold and manage gifts, devises and bequests made thereto absolutely or in trust for specific purposes.

Senate file No. 295, an act to legalize the incorporation of the Manchester Cemetery Company of Manchester, Delaware county, Iowa, and the act of its officers in relation to continuation after expiration of limitation, and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer instead of the sexton, as provided in the articles of incorporation.

Senate file No. 302, an act to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago county, Iowa.

Senate file No. 345, an act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances, and all acts of the town council.

Senate file No. 253, an act to legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa.

Senate file No. 347, an act to legalize the ordinance of the city council of the City of Wapello, granting a franchise to W. H. Prescott and his associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council and by virtue of said ordinance.

Senate file No. 113, an act to amend sections 2 and 4, of chapter 41, of the acts of the Twenty-fifth General Assembly in relation to public libraries.

Senate file No. 181, an act to amend chapter 7 of the acts of the Twentieth General Assembly relating to the appointment of city marshals.

Senate file No. 236, an act to prohibit the sale and use of impure oil in coal mines, and providing penalties for violation thereof.

Senate file No. 238, an act to legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa.

Senate file No. 237, an act providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this State, or bordering on this State, and providing penalties for the violation thereof.

Senate file No. 267, an act to legalize the action of the board of supervisors of Van Buren county, Iowa, relating to the levy for the county revenue for 1895.

Senate file No. 270, an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the ordinances passed by said incorporated town.

Senate file No. 274, an act to legalize the incorporation of the town of Minnewakon, Iowa, in the election of its officers.

Senate file No. 278, an act to legalize the issuing of certain warrants on the general fund and certain funding and refunding bonds by the city of Ottumwa, Iowa.

Senate file No. 65, an act to prevent combinations between fire insurance companies and providing penalties therefor.

Senate file No. 66, an act to prevent blindness and for the care of infants affected with diseases of the eyes, and to provide a penalty for the violation thereof.

Senate file No. 162, an act authorizing and empowering county auditors to collect and receive moneys due their respective counties.

Senate file No. 116, an act to amend sections 969, 975, 981, 987 and 996 of the Code relative to the meeting of township trustees for settlement with road supervisors.

Senate file No. 337, an act to legalize the extension and enlargement of the incorporate limits of the incorporated town of Williamsburg, in Iowa county, State of Iowa.

Senate file No. 374, an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896.

Senate file No. 375, an act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town since July 20, 1895.

Senate file No. 387, an act to amend section 2 of chapter 17 of the acts of the Twenty-second General Assembly, as amended, changing the form of city bonds.

Senate file No. 1, an act defining fraternal beneficiary societies, orders, or associations, and regulating the same.

Senate file No. 7, an act to prohibit the manufacture and sale of cigarettes, cigarette paper, and cigarette wrappers, and providing penalties for the violation of the provisions thereof.

WM. T. FLEMING,
Private Secretary.

Passed on file.

On request of Senator Berry, leave of absence was granted Senator Harriman until Tuesday.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 395, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the Union.

JAMES D. ROWEN,
Chief Clerk

Senator Funk moved that substitute for Senate file No. 47 be made a special order for Tuesday at 9:30 A. M.

On this the yeas and nays were demanded and the motion prevailed.

On the question, "Shall substitute for Senate file No. 47 be made a special order?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gibertson, Healy, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Young—28.

The nays were:

Senators Blanchard, Byers, Downey, Ellis, Gorrell, Harper, Henderson, Waterman, Carpenter—9.

Absent or not voting:

Senators Harriman, Lehfeldt, Trewin—3.

So the substitute was made a special order for Tuesday at 9:30 o'clock A. M.

President *pro tem* Funk presiding.

BILLS ON SECOND READING.

On motion of Senator Healy, House file No. 311, by Laverder, a bill for an act to amend section 2276 of the Code as amended by chapter 70 of the laws of the Twenty-second General Assembly, authorizing guardians of insane persons to mortgage the real estate of their wards, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson,

Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Upton, Waterman, Young—47.

The nays were:

None.

Absent or not voting:

Senators Harriman, Lehfeldt, Rowen—3.

So the bill passed and the title was agreed to.

On request of Senator Rigger, leave of absence was granted Senator Rowen.

Senator Cheshire offered the following resolution and moved its adoption:

WHEREAS, The official state census of the State of Iowa, for the year 1895, is now being compiled for the purpose of publication; and

WHEREAS, There has been expended approximately \$35,000 in its compilation up to this time; and

WHEREAS, It will require a still greater expenditure to finish the compilation and the printing thereof; and

WHEREAS, There are doubts existing as to whether it is advisable to print or publish all of the data compiled; therefore

Be It Resolved, by the Senate, That the Committee on Retrenchment and Reform be requested to investigate the matter and report what, if any, saving can be made in further compilation, and in the printing and publishing of the census report of 1895, by omitting therefrom all data of no special value to the people of the state, and make such recommendation in regard to the matter as may seem proper.

Adopted.

On motion of Senator Ellis Senate file No. 17, and House file No. 108, bills for an act to amend chapter 35 of the laws of the Twenty-second General Assembly of the State of Iowa, relating to aliens inheriting, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hospers offered the following amendment:

I move to strike out in line 8 the word "ten" and insert "twenty."

Adopted.

President Parrott Presiding.

Senator Ellis offered the following amendment:

I move to amend section 2 of the bill by adding thereto in the third line from the last, before the word "it," the following words: "and shall

apply to real estate heretofore devised or descended when no proceedings of forfeiture have been commenced."

Adopted.

Senator Berry offered the following amendment:

I move to amend section 2 by inserting after the word "State," in the 13th line thereof the following: "or lands not to exceed three hundred and twenty acres in the name of any one person."

Adopted.

Senator Ellis offered the following amendment:

Add the letter "s" to the word "section" in the first line; also insert the words "and two" before the first "of" where it occurs the first time in the first line of section 1.

Adopted.

Senator Upton moved that the last clause of the bill beginning with the words "it shall be" be stricken out.

Carried.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Everall, Gilbertson, Gorrell, Harper, Healy, Henderson, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigen, Sargent, Upton—35.

Senator Ranck voted in the negative.

Absent or not voting:

Senators Bell, Eaton, Funk, Garst, Harriman, Hipwell, Hobart, Hurst, Lehfelddt, Mitchell, Rowen, Trewin, Waterman, Young—14.

So the bill passed.

Senator Ellis moved to amend the title by adding "s" to the word "section," and by inserting the words "and two."

Adopted.

So the title as amended was agreed to.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 119, a bill for an act making an appropriation to construct the hospital for the insane at Cherokee, beg leave to report that

they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass:

SUBSTITUTE FOR SENATE FILE NO, 119—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. For the purpose of hastening the completion of the hospital for the insane at Cherokee, there is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), to be used in the year 1896; twenty-five thousand dollars (\$25,000) to be used in the year 1897; seventy-five thousand dollars (\$75,000) to be used in the year 1898, and seventy-five thousand dollars (\$75,000) to be used in the year 1899, to be expended in the erection of the hospital for the insane at Cherokee.

SEC. 2. This appropriation is in addition to the amount appropriated by chapter 136 of the acts of the Twenty-fifth General Assembly.

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H. L. WATERMAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 156, a bill for an act making an appropriation for the hospital for the insane at Independence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and, when so adopted, that it do pass.

SUBSTITUTE FOR SENATE FILE NO. 156.—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making an appropriation for the hospital for the insane at Independence.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the hospital for the insane at Independence, out of any money in the state treasury not otherwise appropriated, the following sums for the following purposes, to-wit:

For a general repair and contingent fund for two years, the sum of six thousand dollars	\$ 6,000
For radiators and steam pipes, the sum of one thousand, two hundred and fifty dollars.....	1,250
For hot water tank, the sum of six hundred dollars	600
For painting and varnishing, the sum of one thousand dollars.....	1,000
For paving and plastering basement, the sum of seven hundred dollars.	700
For bedsteads and mattresses, the sum of one thousand, two hundred dollars.....	1,200
To equip armory and gymnasium, the sum of three hundred dollars	300

For books for library and reading room, the sum of two hundred and fifty dollars.....\$ 250
 For improving the grounds, the sum of one thousand dollars..... 1,000
 For industrial building and machinery, the sum of five thousand dollars. 5,000
 For eighty acres of land, the sum of two thousand dollars..... 2,000

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said hospital, at such times as may be deemed necessary by said trustees, provided that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sums shall be drawn before October 15, 1897.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,
Chairman

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 176, a bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, for the development of that institution, and for the erection of buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted, that it do pass:

SUBSTITUTE FOR SENATE FILE NO. 176.—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there be and is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for the further support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution, the sum of twelve thousand, five hundred dollars (\$12,500) annually hereafter, said sum to be payable in quarterly installments on the order of the board of regents, the first installment to be payable on the first of September, 1896.

SEC. 2. There is hereby appropriated, in addition to the amount appropriated in section one (1) of this act, in support of the State University, in the several departments, twenty-one thousand dollars (\$21,000), in the following sums, or so much thereof as may be necessary for the following purposes, to-wit:

For general library.....\$ 2,500
 For law library..... 1,000
 For physical laboratory..... 1,000

For repair and contingent fund	\$ 10,000
For completion and equipment of homeopathic medical building...	4,000
For completion and equipment of dental building	2,500
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Total	\$ 21,000

SEC. 3. The itemized appropriations provided for in section two (2) hereof, shall be paid on the order of the board of regents of said university; *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sum shall be drawn before October 15, 1897.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 193, a bill for an act making appropriations for the Institution for Feeble Minded Children at Glenwood, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass:

SUBSTITUTE FOR SENATE FILE NO. 193.—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making appropriations for the Institution for Feeble-minded Children, at Glenwood, Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, for the Institution for Feeble-minded Children at Glenwood, Iowa, the following sums, or so much thereof as may be necessary, for the following purposes:

For a new system of water supply	\$10,000
For school supplies	400
For remodeling cold storage, and making two additional school rooms	1,000
For kitchen supplies	400
For painting	500
For contingent and repair fund	3,500
For bedsteads and bedding	1,500
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Total	\$17,300

SEC. 2. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, in addition to the sum specified in section one (1) hereof, the sum of forty-five thousand dollars (\$45,000) for extensions to the asylum building, and three thousand, five hundred dollars (\$3,500) for furnishing the same.

SEC. 3. The itemized appropriations specified in section one (1) hereof shall be paid on the order of the trustee of said School for Feeble Minded; *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sums shall be drawn before October 15, 1897.

SEC. 4. The money appropriated by section two (2) of this act shall be paid on the order of said trustees; *provided*, that the first half of the appropriation therein specified shall not be drawn before July 15, 1896, and the second half shall not be drawn before October 15, 1896.

SEC. 5. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,

Chairman.

Substitute read first and second time.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 394, a bill for an act appropriating funds for the support of the state fish commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 118, a bill for an act making appropriation to purchase land for the site of the hospital for the insane at Cherokee, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 208, a bill for an act making appropriations for the college for the blind at Vinton, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted it do pass:

SUBSTITUTE FOR SENATE FILE NO. 208.—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there be and is hereby appropriated, for the college for the blind at Vinton, Iowa, out of any money in the State treasury not

otherwise appropriated, the sum of ten thousand five hundred dollars (\$10,500) or so much thereof as may be necessary, for the purposes as hereinafter named in the following sums, to-wit:

For laundry and slate roof	\$ 5,000
For contingent and repair fund.....	3,000
For bedding and furniture.....	1,000
For inside and outside painting.....	500
For library and school apparatus....	500
For special teacher for Linnie Haguewood.....	500

Total\$ 10,500

Sec. 2. The money herein appropriated shall be paid only on the order of the trustees of said college, at such times, and in such sums as may be deemed necessary and advisable by said trustees; *provided*, however, that not more than one-half of said amount shall be drawn during the year 1896, and the balance during the year 1897.

Sec 3 This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and Iowa State Register, newspapers published in Des Moines, Iowa.

H. L. WATERMAN,
Chairman.

Substitute read first and second time.

Ordered passed on file.

Senator Phelps, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 9, a joint resolution for amendment to the constitution of the State of Iowa, proposing the repeal of sections 34, 35 and 36 of article three (3) of the constitution, and the substitute hereinafter proposed to be adopted in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JULIAN PHELPS,
Chairman.

Ordered passed on file.

Senator Byers, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title 111 of the Code, and to provide for the selecting and drawing of jurors, beg leave to report that they have examined the same and find it properly engrossed.

H. L. BYERS,
Chairman.

Ordered passed on file.

On motion of Senator Hotchkiss Senate file No. 205, a bill for an act to prevent insolvent insurance companies from doing business and providing penalties therefor, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Hotchkiss offered the following amendment:

Amend section 1 by inserting after the word "company" in the first line the words "organized under the laws of Iowa and."

Adopted.

Senator Hotchkiss offered the following amendment:

Amend section 2 by striking out the words "any other officer," in line one, and insert the word "directors." Also, after the word "company" in the second line insert the words "organized under the laws of Iowa."

Amend section 3 by striking out the word "purely" in the first line.

Adopted.

Senator Hotchkiss offered the following amendment:

Amend line 3 of section 2 by striking out the word "and," the last word in said line, and insert in lieu thereof the words "or when."

Adopted.

Senator Hotchkiss moved that the time of adjournment be extended ten minutes.

Carried.

Senator Ellis offered the following amendment:

Insert in third line of section 2, after "shall," the words "knowingly and wilfully with intent to defraud."

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Tuesday, April 7, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. Bruce Brown, of Webster City, Iowa.

PETITIONS AND MEMORIALS.

Senator Palmer presented remonstrance of John Morrow and others against any change in railway laws.

Referred to Committee on Railways.

Senator Cheshire presented petition of A. Hammer and others in relation to the Bonaparte dam, and asked that it be read.

Referred to Committee on Appropriations.

Senator Hotchkiss presented memorial of Wadsworth Post, G. A. R., at Dexter, relative to Memorial Hall.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Hospers, Senate file No. 448, a bill for an act to legalize the organization of the Hawarden Driving and Fair association, of Hawarden, Iowa.

Read first and second time and referred to Committee on Judiciary.

By Senator Hipwell, Senate file No. 449, a bill for an act to repeal section 4, chapter 15 of acts of Twentieth General Assembly, relating to taxes for park purposes.

Read first and second time and referred to Committee on Judiciary.

HOUSE MESSAGES.

Senate file No. 395, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the Union, was passed on file.

The hour for the special order having arrived, Senator Penrose moved that the special order be continued until the reports of standing committees are received.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Penrose, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House file No. 447, a bill for an act to repeal section 1 of chapter 31 of the laws of the Twenty-second General Assembly, relating to changing names of railway stations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Amend the title by adding thereto the words, "and enacting a substitute therefor." Amend the bill by inserting the words "section 1" after the enacting clause, so the bill will read as follows:

A BILL

For an act to repeal section one of chapter thirty-one of the laws of the Twenty-second General Assembly, relating to changing names of railway stations, and enacting a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That section one of chapter thirty-one of the laws of the Twenty-second General Assembly is hereby repealed and the following law enacted in lieu thereof:

In all cases where any railway company shall fail or refuse to make the name of a railway station conform to the name of the incorporated town within the limits of which it is situated, it shall be the duty of the railroad commissioners of the State to order a change of the name of said railway station to effect such uniformity, within sixty days after a petition in writing by the town council of said incorporated town, asking for such order, is filed with said railroad commissioners.

E. G. PENROSE,
Chairman.

Senator Trewin moved that the report of the committee be adopted.

Carried.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—38.

The nays were:

Senators Carpenter and Penrose—2.

Absent or not voting:

Senators Allyn, Craig, Harper, Harriman, Henderson, Junkin, Lehfelddt, Pusey, Rigger, Young—10.

So the bill passed and the title was agreed to.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 329, a bill for an act releasing and granting to the city of Dubuque title to certain lands.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 378, a bill for an act defining building and loan or savings and loan associations, and providing for their organization, regulation, examination and control, and providing a penalty for the violation of said regulations, and repealing acts and parts of acts inconsistent with this act.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 251, a bill for an act creating the Twentieth judicial district of the State of Iowa, and providing for the appointment of one judge and the election of two judges therein; and also providing for an election of four judges in the Second and three judges in the Sixth judicial district, defining the jurisdiction of said courts therein and for holding terms of court in said districts.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 48, a bill for an act to amend section 402 of the Code (McClain's section 3) relating to the proof of ordinances.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 423, a bill for an act to legalize the organization of the independent school district of Stockport, Van Buren county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 92, a bill for an act to amend section three (3) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly, to transfer Marshall county from the Eleventh (11) to the Seventeenth (17) Judicial district, and to provide a second Judge for the Seventeenth Judicial district.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 383, a bill for an act amending chapter 2 of title 10 of the Code of 1873, relating to drainage and levees.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 37, a bill for an act to authorize cities of the second class to acquire real estate within and without their territorial limits for the purpose of outlets for sewers, and pay for the same out of the general fund of the city, or out of the sewer fund of the sewer district of which the same is the outlet.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 122, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly of the State of Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 243, a bill for an act to amend section 2, chapter 35, of the acts of the Twenty-third General Assembly, relating to permits of registered pharmacists.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 253, a bill for an act to amend section 454 of the Code relating to the power of cities.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 237, a bill for an act to punish the keeping and maintaining of resorts for the sale and use of opium and its preparations, and person or persons resorting thereto.

G. S. GILBERTSON,
Chairman Senate Committee

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 191, a bill for an act to authorize the executive council to sell and convey a part of the lands purchased by the State for the use of the Iowa State Agricultural Society, in Polk county, Iowa, under the provision of chapter 199 of the Twentieth General Assembly, and to purchase other lands for the use of said society.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 361, a bill for an act to repeal section 6, chapter 43, of the acts of the Twenty-third General Assembly and to enact a substitute therefor, in reference to compensation of justices of the peace and peace officers.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 46, a bill for an act granting additional power to certain cities of the second class, and incorporated towns, relating to the construction of the sewers or tile drains.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 163, a bill for an act to amend section 1433 of the Code, as amended by chapter 179 of the acts of the Twelfth General Assembly, and chapter 25, acts of the Fifteenth General Assembly, relating to care of the same.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 248, a bill for an act to amend sections 2 and 3 of chapter 69 of the acts of the Twenty-fifth General Assembly, to fix the regular term of the additional Supreme Judge provided for in said act, and to extend the term of the present incumbent.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 260, a bill for an act to enable cities of the first class to buy or construct waterworks and to provide for the management thereof and giving them additional powers in respect thereto.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House, file No. 194, a bill for an act to provide the support fund of the boys' department of the Iowa Industrial School, and to repeal section 1, chapter 21, of the acts of the Fifteenth General Assembly as amended by section 1, chapter 97, of the Seventeenth General Assembly.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 456, a bill for an act to repeal chapter 8 of the laws of the Fifteenth General Assembly, relating to permanent survey of lands, and establishing lost corners, and providing a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 429, a bill for an act to legalize a certain bond issue of the incorporated town of Manning, Iowa, and the acts of its electors and council in connection with such issue, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 495, a bill for an act to legalize the official acts of the town council and ordinances of the incorporated town of Scranton, in Greene county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 478, a bill for an act to legalize the purchase of ground by the Independent District No. 9, of West Lafayette township, Keokuk

county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding at the close of section 1 the following: "Provided that nothing in this act shall in any manner affect any pending litigation," and when so amended it do pass.

L. A. ELLIS,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 412, a bill for an act legalizing the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and of the board of directors of the independent school district of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 419, a bill for an act to legalize the incorporation of the town of Jolley, Calhoun county, Iowa, the election of its officers, and all official acts done, and ordinances passed by the council of the said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman

Ordered passed on file.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Joint resolution No. 7, would respectfully report that they have had the same under consideration and would recommend that the following substitute be referred to the Committee on Appropriations with the recommendation that said committee report favorably on the same.

SUBSTITUTE FOR JOINT RESOLUTION NO. 7.

A bill for an act providing for the erection of an equestrian statue of Major-General Francis J. Herron, and to appropriate money therefor.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the commission having in charge the erection of the Iowa Soldiers' and Sailors' monument be, and is hereby directed, to have an equestrian statue of Major-General Francis J. Herron made, said equestrian statue to be placed upon the Iowa Soldiers' and Sailors' monument, if practicable; but if in the judgment of said committee it be

impracticable to place said equestrian statue on said monument, then they shall cause the same to be erected and placed on some suitable location on the capitol ground.

SEC. 2. There is hereby appropriated to defray the costs of making and erecting said equestrian statue, a sum not to exceed \$10,000, to be paid by the State Treasurer on the voucher of said commission under the approval of Governor Francis M. Drake, from any moneys not otherwise appropriated.

GEO. M. CRAIG,
Chairman.

So referred.

On request of Senator Berry, leave of absence was granted Senator Harriman until Wednesday.

On request of Senator Rowen, leave of absence was granted Senator Rikken.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 480, a bill for an act to repeal sections 1 and 2, chapter 20, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of subdirectors from three years to one year.

House file No. 258, a bill for an act in relation to the jurisdiction of suits against insurance companies doing business in Iowa, and against limiting the time in which suits may be brought against insurance companies doing business in the State of Iowa.

House file No. 276, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, regulating the sale of petroleum and its products.

House file No. 501, a bill for an act to legalize certain elections held in the incorporated town of Rose Hill, county of Mahaska, Iowa.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 18, a bill for an act changing the number of directors from six to five in certain independent school districts.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

On motion of Senator Sargent, House file No. 135, a bill for an act to amend sections 2881 and 2882, chapter 9, title 12, of McClain's Code of Iowa, in relation to teachers' certificates, with report of committee recommending a substitute, was taken up, considered and the report of the committee was adopted.

The bill was read for information.

Senator Sargent moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Carney, Carpenter, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gorrell, Hobart, Hospers, Hotchkiss, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Rowen, Sargent, Trewin, Waterman—30.

The nays were:

Senators Byers, Carroll, Eaton—3.

Absent or not voting:

Senators Bonson, Everall, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hurst, Junkin, Kilburn, Lehfeldt, Penrose, Pusey, Riggen, Upton, Young—17.

So the bill passed and the title was agreed to.

Senator Ellis moved to reconsider the vote by which Senate file No. 893 was ordered to engrossment.

Carried.

The time for the special order having arrived, Senator Ellis moved that the time for special order be extended until 10 o'clock.

Carried.

Senate resumed consideration of the amendment to Senate file No. 205, by Senator Ellis.

Senator Ellis was permitted to withdraw his amendment and offered the following:

I move to amend by inserting the word "knowingly" between the words "shall" and "receive" in the third line of section 2.

Adopted.

Senator Hotchkiss moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—42.

Senator Bonson voted in the negative.

Absent or not voting:

Senators Allyn, Harriman, Hipwell, Hurst, Junkin, Lehfeldt, Rikken—7.

So the bill passed and the title was agreed to.

Senator Cheshire moved to reconsider the vote by which amendment offered by Senator Bonson, in fifteenth line of section 6, to Senate file No. 393, was adopted.

Carried.

The question recurring to the amendment by Senator Bonson the amendment was lost.

Senator Cheshire moved to amend section 4, line 4, by striking out the word "six" and insert "eight."

Adopted.

Senator Carpenter offered the following amendment to section 14:

Add word "such" before word "failure" in sixth line of printed bill.

Adopted.

Senator Carroll offered the following amendment to section 5:

Strike out the words "and the talesmen among the several precincts."

Adopted.

Senator Carpenter offered the following amendment to section 3:

Add to printed bill, after the word "juror" in fifth line, "or any person who requests the judges of election to return his name as such juror."

Adopted.

The time for special order having arrived, Senator Ellis moved that the time of special order be extended until the matter under discussion be disposed of.

Carried.

Senator Ellis moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rowen, Sargeant, Upton, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Carney, Downey, Harriman, Hipwell, Hurst, Lehfeltdt, Penrose, Rikken, Trewin, Young—12.

So the bill passed.

Senator Ellis moved to amend its title by inserting the words "and providing punishment for violation thereof."

The title as amended was agreed to.

Senator Ranck offered the following resolution and moved its adoption:

Resolved, That unless otherwise ordered by the Senate, speeches shall be limited upon main questions to ten minutes, and upon amendments to five minutes, provided that the Senator in charge of a pending measure shall be allowed an additional ten minutes upon main questions and five minutes upon amendments in which to close debate.

Adopted.

The hour for the special order having arrived, substitute for Senate file No. 47 was taken up and the report of the committee was adopted.

Senator Funk moved that the bill be read section by section for the purpose of amendment.

Carried.

Senator Ellis presiding.

Senator Cheshire offered the following amendment:

I move to amend section — by striking out the words "with a poll tax in either case of 50 cents on each male resident over twenty-one years of age."

Lost.

Senator Harper offered the following amendment to section 1:

Add the words "or approaches thereto" following the word "bridges" in the first line of subdivision four of the present bill.

Lost.

Senator Trewin offered the following amendment to section 1:

Add thereto the following: "Not exceeding two and one-half mills on the dollar."

Lost.

Senator Trewin offered the following amendment to section 1:

Strike out "or less" in line 10, and insert between the words "to" and "six" the words "not exceeding."

Lost.

Senator Carpenter offered the following amendment:

Amend section 1, sub-section 4; strike from the section all after the word "dollars," in line 13.

Lost.

President Parrott presiding.

Senator Hospers offered the following amendment to section 2, sub-section 4:

"Strike out section 4."

On this a division was called for and amendment was lost.

Senator Funk moved that when the Senate adjourn it be until 2 o'clock P. M., to-day.

Carried.

Senator Ellis offered the following amendment to section 3:

Homesteads of less than \$500 in value for which the owner is in debt, for the purchase thereof, shall be assessed on the basis of the owner's equity therein.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 102 (by request), a bill for an act to reimburse John L. Brown, as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties.

Also:

House file No. 445, a bill for an act to amend section 111 of the Code of Iowa, providing for an additional member of the executive council.

JAS. D. ROWEN,
Chief Clerk.

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Parrott presiding.

The Journal of Monday was read, corrected and approved.

BILLS ON SECOND READING.

The Senate resumed consideration of the amendment offered by Senator Ellis to section 3 of substitute for Senate file No. 47.

The amendment was lost.

Senator Waterman offered the following amendment to section 3:

Strike out in lines 2 and 3 the following words, "and the assessor shall assess the same at 50 per cent of such cash value."

Lost.

Senator Cheshire offered the following amendment to section 3:

Strike out of the first and second lines the words, "its actual cash value which shall be entered opposite each item, and the assessor shall assess the same at;" also by striking out the word "such" in the third line and inserting in lieu thereof the words "the actual;" also by striking out the word "fifty" and inserting in lieu thereof the words "thirty-three and one-third."

On this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Alexander, Bell, Byers, Carney, Carpenter, Cheshire, Downey, Eaton, Ellis, Ericson, Garst, Harper, Kelburn, Rowen, Trewin, Waterman—16.

The nays were:

Senators Allyn, Berry, Blanchard, Bonson, Carroll, Craig, Druet, Ellison, Everall, Funk, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Lotrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rancie, Sargent, Upton—29.

Absent or not voting:
Senators Hurst, Junkin, Lehfeldt, Rigger, Young—5.
So the amendment was lost.
Senator Funk moved that further consideration of the special order, substitute for Senate file No. 47, be postponed until to-morrow at 9:30 o'clock A. M.
Carried.

PETITIONS AND MEMORIALS.

Senator Trewin presented remonstrance of August Schaffer and others against the passage of Senate file No. 160.
Referred to Committee on Schools.

REPORTS OF STANDING COMMITTEES.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 266, a bill for an act making appropriation for the penitentiary at Fort Madison, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass:

SUBSTITUTE FOR SENATE FILE NO. 266—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making appropriation for the penitentiary at Fort Madison, Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the penitentiary at Fort Madison, Iowa, out of any money in the State treasury not otherwise appropriated, thirteen thousand two hundred dollars (\$13,200), in the following sums, or so much thereof as may be necessary for the following purposes:

Transportation of discharged convicts.....	\$ 4,000
For contingent and repair fund.....	7,500
For warden's house fund.....	200
For new pump house in connection with the river.....	1,500
Total	\$ 13,200

SEC. 2. The money herein provided shall be drawn and paid on the order of the warden of said penitentiary; *provided*, that no more than one-fourth shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths before October 1, 1897; *provided*, that the two hundred dollars for warden's house shall be immediately available.

SEC. 3. The warden is hereby authorized to pay from the prison library fund the sum not exceeding two thousand dollars (\$2,000) for the construction of a new barn.

SEC. 4. The warden is hereby authorized to pay from the contingent fund a sum not exceeding one hundred and fifty dollars (\$150) to provide a suitable conveyance for transporting the Sabbath school teachers to and from the prison.

SEC. 5. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,
Chairman.

Read first and second time and ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 240, a bill for an act making appropriation for the State Industrial School, girls' department, at Mitchellville, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass:

SUBSTITUTE FOR SENATE FILE NO. 240.—BY SENATE APPROPRIATION
COMMITTEE.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the State Industrial School, girls' department, at Mitchellville, Iowa, out of any money in the State treasury not otherwise appropriated, seventeen thousand dollars (\$17,000) in the following sums, or so much thereof as may be necessary for the following purposes, to-wit:

Assembly room and schoolrooms.....	\$ 12,000
For seating same.....	600
For heating and lighting same.....	1,300
For contingent and repair fund.....	2,500
For chaplain fund.....	200
For library and school books.....	100
For furnishing and furniture for all buildings.....	200

Total \$ 17,000

SEC. 2. The money herein appropriated, except for the first three items, shall be drawn and paid on the order of the trustees of said school: *provided*, that not more than one-fourth of said sums shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths thereof before October 15, 1897.

SEC. 3. The money herein appropriated for the erection of the assembly room and schoolrooms, and for seating, heating and lighting the same, shall be drawn and paid on the order of the trustees of said school: *provided*, that not more than one-half of the same herein appropriated shall be drawn before June 1, 1896, and the remainder thereof not before October 1, 1896.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,
Chairman.

Read first and second time and ordered passed on file.
Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 196, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass:

SUBSTITUTE FOR SENATE FILE NO. 196.—BY SENATE APPROPRIATION COMMITTEE.

A bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated out of any money in the State treasury not otherwise appropriated, thirty-nine thousand dollars (\$39,000), in the following sums, or so much thereof as may be necessary for the following purposes, to-wit:

For teachers' fund additional for two years.....	\$22,000
For contingent fund for two years	12,000
For library fund for two years.....	1,000
For repairs.....	2,000
For librarian and assistant.....	1,000
For military instruction and expenses	1,000

SEC. 2. That there is appropriated out of any money in the State treasury, not otherwise appropriated, in addition to the sum appropriated in section one (1) hereof, the sum of nine thousand dollars (\$9,000), or so much thereof as shall be necessary for the following purposes, to-wit:

For addition to boiler house, new boilers, and steam heating.....	\$3,000
For sewer.....	5,000
For library furniture, cases, tables, chairs, fixtures.....	500
For biological laboratory, museum cases, tables and apparatus.....	500

SEC. 3. The itemized appropriations specified in section one (1) of this act shall be paid on the order of the board of directors of the said normal school; *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sums shall be drawn before October 15, 1897.

SEC. 4. The itemized appropriation in section two (2) of this act, making provision for addition to boiler house, new boilers, and steam heating shall be paid on the order of the board of directors of the said normal school; *provided*, not more than one-half shall be drawn before July 1, 1896, and the other one-half shall not be drawn before October 15, 1896.

SEC. 5. The itemized appropriation in section two (2) of this act, making provision for sewer, shall be paid on the order of the board of directors of said normal school; *provided*, that not any of said amount shall be drawn until the city of Cedar Falls, Iowa, shall adopt a sewerage system and shall expend an equivalent amount of five thousand dollars (\$5,000) on the extension of said sewer to the normal school grounds; and *provided also*, that none of said appropriation shall be drawn before April 15, 1897.

SEC. 6. The itemized appropriation in section two (2) of this act, making provision for library furniture, cases, tables, chairs, and fixtures, and for biological laboratory, museum cases, tables, and apparatus, shall be paid of the order of the board of directors of said normal school; *provided*, that it shall not be drawn before April 15, 1897.

SEC. 7. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,
Chairman.

Read first and second time and ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. SPEAKER—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 170, as amended, a bill for an act regulating fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa.

Senate file No. 385, a bill for an act imposing a collateral inheritance tax, and providing for the correction of the same.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following memorial, in which the concurrence of the Senate is asked, relative to relief and indemnity of certain citizens of the State of Iowa.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

On motion of Senator Waterman, Senate file No. 118, a bill for an act making appropriation to purchase land for the site of the Hospital for the Insane at Cherokee, with the report of the committee recommending that it do pass, was taken up, considered and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time

now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Sargent, Trewin, Waterman, Young—38.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Carpenter, Ellis, Funk, Garst, Lehfeldt, Mitchell, Penrose, Rigger, Rowen, Upton—12.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, substitute for Senate file No. 119, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Trewin, Waterman, Young—46.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Berry, Garst, Healy, Kilburn, Lehfeldt, Rigger, Rowen—10.

So the bill passed and the title was agreed to.

Senator Carroll presiding.

On motion of Senator Waterman, substitute for Senate file No. 156, a bill for an act making an appropriation for the Hospital for the Insane at Independence, with report of committee

recommending a substitute, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Lehfeldt, Rigger, Upton—5.

So the bill passed and the title was agreed to.

Senator Carney offered the following:

MR. PRESIDENT—I was unavoidably absent from the Senate Chamber, engaged on business with the Executive, when Senate file No. 393 was placed on passage, and I desire to have the Journal show that I would, on that bill, have voted aye.

J. L. CARNEY.

On motion of Senator Waterman, substitute for Senate file No. 176, a bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution, with the report of the committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

President Parrott presiding.

Senator Berry moved to amend the bill by striking out section 1.

Lost.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet,

Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Allyn, Kilburn, Lehfeldt, Rigger, Upton—5.

So the bill passed.

Senator Waterman moved to amend the title by adding the words "and for completion of buildings."

Adopted.

So the title as amended was agreed to.

On motion of Senator Waterman, substitute for Senate file No. 193, a bill for an act making appropriations for the Institution for Feeble Minded Children, at Glenwood, Iowa, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Druet, Hurst, Lehfeldt, Rigger, Upton—5.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Ellis, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 449, a bill for an act to repeal section 4 of chapter 15 of the

acts of the Twentieth General Assembly, relative to taxes for park purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 448, a bill for an act to legalize the organization of the Hawarden Driving and Park Association of Hawarden, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

HOUSE MESSAGES.

Senate file No. 385, a bill for an act imposing a collateral inheritance tax, and providing for the correction of the same, was passed on file.

Amended Senate file No. 170, as amended, a bill for an act regulating fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa.

Senator Ericson moved that the Senate concur in the House amendments to the bill.

On the question, "Shall the amendments be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Penrose, Perrin, Phelps, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Druet, Eaton, Ellis, Hobart, Hospers, Junkin, Lehfeldt, Palmer, Pusey, Rikken—10.

So the amendments were concurred in.

Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car, was passed on file.

House file No. 445, a bill for an act to amend section 111 of the Code of Iowa, providing for an additional member of the Executive Council, was read first and second time and referred to Committee on Judiciary.

House file No. 480, a bill for an act to repeal sections 1 and 2, chapter 20, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of sub-directors from three years to one year.

Senator Sargent moved to take up the bill for consideration now.

Lost.

Read first and second time and referred to Committee on Schools.

House file No. 460, a bill for an act to amend section 7, chapter 66 of the acts of the Twenty-first General Assembly, and the abatement thereof, was read first and second time and referred to Committee on Judiciary.

House file No. 276, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, regulating the sale of petroleum and its products, was read first and second time and referred to Committee on Public Health.

House file No. 258, a bill for an act in relation to the jurisdiction of suits against insurance companies doing business in Iowa, and against limiting the time in which suits may be brought against insurance companies doing business in the State of Iowa, was read first and second time and referred to Committee on Insurance.

Senator Penrose moved that the time of adjournment be extended until the House messages be disposed of.

Carried.

Rejected Senate file No. 18, a bill for an act to change the number of directors from six to five in certain independent school districts, was read and passed on file.

House memorial, in regard to relief and indemnity of certain citizens of the State of Iowa, was read and passed on file.

House file No. 102, a bill for an act to reimburse John L. Brown as Auditor of State during the years of 1885 and 1886 for money expended in defense of his said office and his official rights and duties.

On request of Senator Byers the bill was passed and retains its place as House messages.

Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, April 8, 1896.

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. Willard H. Patterson, of Des Moines.

Senator Byers called up resolution relative to bills relating to revision of the Code and offered the following amendment:

Strike out the words "March 3d" in line 5, and insert in lieu thereof the words "April 10th."

The amendment was lost.

Resolution withdrawn.

Senator Garst offered the following:

JOINT RESOLUTION NO. 17.

Relative to Missing Codes.

WHEREAS, Codes belonging to Senators Ellis and Lothrop and Representatives Merrell and Jay are missing from the Senate and House chambers, therefore

Be it Resolved by the General Assembly of the State of Iowa, That the Secretary of State be instructed to furnish McClain's Annotated Code, with supplement, to the above named persons.

Read first and second time.

Senator Garst moved that Joint resolution No. 17 be read a third time now.

Carried.

Third reading of joint resolution.

On the question, "Shall Joint resolution No. 17 pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Pnelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bonson, Carpenter, Gorrell, Harriman, Kilburn, Lehfeldt, Mitchell, Rigger—9.

So the Joint resolution No. 17 passed.

BILLS ON SECOND READING.

On motion of Senator Hipwell, Senate file No. 449, a bill for an act to repeal section 4 of chapter 15 of the acts of the Twentieth General Assembly, relative to taxes for park purposes, with report of committee, was taken up, considered, and the report of the committee adopted.

Senator Pusey offered the following amendment to section 1, line 5: Strike out the word "or" and insert the word "and" in lieu thereof.

Adopted.

Senator Hipwell moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Gilbertson, Harper, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Trewin, Young—34.

The nays were:

Senators Garst and Waterman—2.

Absent or not voting:

Senators Allyn, Bell, Berry, Carpenter, Everall, Gorrell, Harriman, Healy, Junkin, Kilburn, Lehfeldt, Rigger, Rowen, Upton—14.

So the bill passed the Senate.

Senator Pusey moved to amend the title by making it read "chapter 151," instead of "15."

Adopted.

So the title as amended was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Senator Garst presiding.

On motion of Senator Waterman, Senate file No. 266, a bill for an act making appropriation for the penitentiary at Fort Madison, Iowa, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gibertson, Gorrell, Harper, Harriman, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young.
—41.

The nays were:

None.

Absent or not voting:

Senators Bonson, Carpenter, Carroll, Druet, Everall, Healy, Henderson, Hospers, Lehfeldt—9.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 240, a bill for an act making appropriation for the State Industrial school, girls' department, at Mitchellville, Iowa, with report of committee recommending a substitute and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Cheshire, Craig, Downey, Eaton, Ellison, Ericson, Everall, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young
—40.

The nays were:

None.

Absent or not voting:

Senators Bonson, Carroll, Druet, Ellis, Funk, Hipwell, Hospers, Lehfeldt, Penrose—10.

On motion of Senator Waterman, Senate file No. 196, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa, with report of committee recommending a substitute, and that when same is adopted the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Byers, Carney, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Bonson, Carpenter, Carroll, Ellis, Funk, Hipwell, Lehfeldt, Rowen, Penrose—10.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 394, a bill for an act appropriating funds for the support of the State Fish Commission, with report of committee recommending that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Carney, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Bonson, Byers, Carpenter, Carroll, Eaton, Ellis, Harriman, Junkin, Lehfelddt, Penrose—10.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House file No. 238, a bill for an act making an appropriation for the penitentiary at Anamosa.

Substitute for House file No. 302, a bill for an act to make appropriations for the support of the Soldiers' Home at Marshalltown, Iowa, for the construction of certain buildings, making improvements and providing a contingent fund therefor.

Substitute for House file No. 163, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

Substitute for House file No. 187, a bill for an act to make appropriations for the Soldiers' Orphans' Home for Indigent Children at Davenport, Iowa.

Substitute for House file No. 402, a bill for an act making appropriations for the Industrial Home for the Blind at Knoxville.

Substitute for House file No. 75, a bill for an act making appropriations for the State Agricultural College.

Substitute for House file No. 287, a bill for an act making an appropriation for the Hospital for the Insane at Clarinda, Iowa.

Substitute for House file No. 195, a bill for an act entitled an act making appropriations for the Iowa Industrial School, Boys' Department, at Eldora, Iowa.

Substitute for House file No. 503, a bill for an act to provide additional support for the Iowa National Guard.

Substitute for House file No. 229, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapters 55 and 56 of the laws of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Substitute for House file No. 312, a bill for an act making appropriations for the Iowa School for the Deaf at Council Bluffs, Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 210, a bill for an act to amend chapter 25 of the acts of the Twenty-second General Assembly, relating to notice of injury.

JAMES D. ROWEN,
Chief Clerk.

President Parrott presiding.

Senator Rowen moved that House Joint Resolution No. 8, relative to application of A. F. Hockett, a life convict in the penitentiary at Ft. Madison, for a pardon, be substituted for report of Senate committee on same subject, recommending the same be granted.

Carried.

On the question "Shall House Joint Resolution No. 8 be adopted?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Bonson, Cheshire, Craig, Everall, Lehfeldt, Mitchell, Phelps, Upton, Young—9.

So the resolution was adopted.

On motion of Senator Ellison, Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873, as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to salaries of certain officers, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Ellison moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Senator Carney moved that the time of adjournment be extended until this bill is disposed of.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Byers, Carney, Carpenter, Carroll, Cheshire, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin—37.

Senator Craig voted in the negative.

Absent or not voting:

Senators Berry, Blanchard, Bonson, Downey, Everall, Gorrell, Hospers, Kilburn, Lehfeldt, Upton, Waterman, Young—12.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Cheshire, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 58, a bill for an act to revise, amend and codify the laws in relation to city and town government, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 470, a bill for an act to authorize cities acting under special charter to use parks, public squares or plats of grounds for free public library building purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 243, a bill for an act to amend sections 6 and 11 of chapter 7 of the laws of the Twenty-fifth General Assembly, relating to the paving and curbing of streets, or the construction of sewers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 251, a bill for an act to authorize the assessment, levy and collection of taxes for park purposes in certain cities of the first class, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that the subject matter has already been acted upon.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 87, a bill for an act to revise, amend and codify the statutes in relation to certain police regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 392, a bill for an act to authorize cities acting under special charters to provide for the sprinkling of streets and to levy and collect the cost thereof from the abutting property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 291, a bill for an act authorizing certain cities to establish a department of health, and defining its organization, powers and duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 409, a bill for an act to amend section 2 of chapter 15 of the laws of the Twenty-fifth General Assembly, relating to the appointment of police matron, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 417, a bill for an act to provide for compensation for volunteer fire companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 229, a bill for an act to amend section 475 of the Code of 1873, and to enable cities of the first class to buy or construct water works and to provide for the management thereof and giving them additional powers in respect thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that the subject matter has been acted upon.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 211, a bill for an act to authorize cities and towns to change their form of indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 372, a bill for an act to repeal section 1 of chapter 7 of the acts of the Twenty-fourth General Assembly, relating to compensation of mayors when acting as justices of the peace in cities of second class and incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 406, a bill for an act creating a board of police and fire commissioners in all cities of the first class, having a population of more than 55,000, and defining the duties and powers of such board, beg

leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: By striking out in section 2 the words "each of them shall receive a salary payable quarterly in an amount to be fixed by the city council of the city in which the board is appointed, and in no case shall said salary exceed five hundred dollars per annum," and inserting in lieu thereof the words "shall receive no salary or compensation for their services." Also by amending publication clause by adding the following: "without expense to the State."

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 432, a bill for an act to authorize boards of school directors to fence schoolhouse sites, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 480, a bill for an act to repeal sections 1 and 2, chapter 20, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of sub-directors from three years to one year, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senate adjourned until 2 o'clock P. M., to-day.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Parrott presiding.

REPORTS OF STANDING COMMITTEES.

Senator Hospers, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred substitute for House file No. 208, a bill for an act to amend chapter 60, section

23 of title 6 of the Fifteenth General Assembly, relative to publication of statements of banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that the same is embodied in the proposed Code revision.

HENRY HOSPERS,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 330, a bill for an act authorizing counties, cities, townships and other municipal corporations to take and hold property by gift and bequest, and providing for the management of the same.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval, Senate file No. 144, a bill for an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval, Senate file No. 272, a bill for an act to amend section 3721 of the Code of 1873 in respect to taking depositions.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 204, a bill for an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly, relating to funding indebtedness of cities and towns.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval.

Senate file No. 163, a bill for an act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 24, a bill for an act requiring that juvenile prisoners be kept apart from older offenders.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 5, a bill for an act to amend chapter 13, title 12 of the Code, in relation to the State Library, and to provide for an extension of the use thereof.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 57, a bill for an act to revise, amend, and codify the statutes relative to the militia.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 322, a bill for an act to amend section 4022 of the Code of 1873, relating to the importation, printing, publishing, selling and distributing of obscene books and pictures.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 373, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 441, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled "an act to prohibit the sale and use of impure oil in coal mines and providing penalties for violation thereof.

G. S. GILBERTSON,
Chairman.

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 403, a bill for an act to provide for the payment of the current expense fund for the hospitals for the insane quarterly in advance.

G. S. GILBERTSON,
Chairman.

Passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 77, a bill for an act to create and regulate public warehouses and warehousing, shipping, weighing and inspection of grain, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 277, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be substituted for Senate file No. 246, and when so substituted it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Junkin, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 502, a bill for an act to repeal sections 1, 2 and 3 of chapter 51 of the acts of the Twenty-fourth General Assembly, in relation to the name of, object of, and persons eligible to the Industrial Home for the Blind at Knoxville, Iowa, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be concurred in and do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Penrose, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House file No. 464, a bill for an act to amend section 29, chapter 28, laws of the Twenty-second General Assembly, relating to railroads and common carriers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. G. PENROSE,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Carroll, Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873, relating to the taxation of money, read first and second time.

Senator Carroll moved that the bill be taken up for consideration.

Carried.

The bill was read for information.

Senator Carroll moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison,

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 376, a bill for an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

G. S. GILBERTSON,

Chairman

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 384, a bill for an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne.

G. S. GILBERTSON,

Chairman

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 441, a bill for an act to amend an act of the Twenty-sixth General Assembly, entitled "an act to prohibit the sale and use of impure oil in coal mines and providing penalties for violation thereof.

G. S. GILBERTSON,

Chairman

Passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 403, a bill for an act to provide for the payment of the current expense fund for the hospitals for the insane quarterly in advance.

G. S. GILBERTSON,

Chairman

Passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 77, a bill for an act to create and regulate public warehouses and warehousing, shipping, weighing and inspection of grain, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. J. PALMER,

Chairman

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 277, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be substituted for Senate file No. 246, and when so substituted it do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Junkin, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 502, a bill for an act to repeal sections 1, 2 and 3 of chapter 51 of the acts of the Twenty-fourth General Assembly, in relation to the name of, object of, and persons eligible to the Industrial Home for the Blind at Knoxville, Iowa, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be concurred in and do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Penrose, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House file No. 464, a bill for an act to amend section 29, chapter 28, laws of the Twenty-second General Assembly, relating to railroads and common carriers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. G. PENROSE,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Carroll, Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873, relating to the taxation of money, read first and second time.

Senator Carroll moved that the bill be taken up for consideration.

Carried.

The bill was read for information.

Senator Carroll moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison,

Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Pusey, Rowen, Sargent, Trewin, Waterman, Young—37.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Byers, Eaton, Ellis, Harper, Harriman, Hipwell, Hurst, Lehfeldt, Phelps, Ranck, Rigger, Upton—15.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Young presented remonstrance of L. Burbridge and others against passage of House file No. 306.

Referred to Committee on Banks.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Substitute for Senate file No. 266, a bill for an act making appropriation for the penitentiary at Fort Madison, Iowa.

Senate file No. 394, a bill for an act appropriating funds for the support of the State Fish Commission.

Substitute for Senate file No. 156, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

Substitute for Senate file No. 196, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa.

Substitute for Senate file No. 176, a bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution.

Senate file No. 208, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

Senate file No. 240, a bill for an act making appropriation for the State Industrial School, girls' department, at Mitchellville, Iowa.

Senate file No. 193, a bill for an act making an appropriation for the Institute for Feeble-Minded at Glenwood, Iowa.

Senate file No. 118, a bill for an act making appropriation to purchase land for the site of the Hospital for the Insane at Cherokee.

Substitute for Senate file No. 119, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 411, a bill for an act to reimburse Cedar county, Iowa, for the maintenance of Stella Lupton, a soldier's orphan, at the Soldiers' Orphans' Home at Davenport, Iowa.

House file No. 351, a bill for an act to reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin, soldiers' orphans, at the Soldiers' Orphans' Home at Davenport, Iowa.

House file No. 246, a bill for an act to amend section 12 of chapter 80 of the laws of the Twenty-fifth General Assembly, relating to the rules governing trustees in the appointment of superintendent.

House file No. 512, a bill for an act to legalize the election at Ames, Iowa, of city officers and the election for the issuance of bonds for sundry purposes.

JAMES D. ROWEN,
Chief Clerk.

Senator Funk called up the resolution relating to sifting committee and moved its adoption.

Senator Trewin moved to amend the resolution by inserting the words "and bills hereafter introduced."

Carried.

The resolution was adopted.

The Journal of Tuesday was taken up, read, corrected and approved.

Senator Waterman moved that House messages be taken up.
Carried.

HOUSE MESSAGES.

House file No. 326, a bill for an act to provide for the encouragement of the manufacture of sugar, and to provide compensation therefor, was read first and second time and referred to Committee on Agriculture.

Substitute for House file No. 217, a bill for an act to make provisions for the cure and treatment of epileptics, was read first and second time and referred to Committee on Appropriations.

Substitute for House file No. 163, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa, was read first and second time.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—41.

Senator Everall voted in the negative.

Absent or not voting:

Senators Blanchard, Eaton, Ellis, Funk, Junkin, Lehfeldt, Rikken, Young—8.

So the bill passed and the title was agreed to.

Senator Everall offered the following and asked that it be printed in the Journal:

Doubting the policy, if not our right, to vote money for a local or private institution, no matter how meritorious, I vote "no."

HOUSE MESSAGES.

Substitute House file No. 302, a bill for an act to make appropriations for the support of the Soldiers' Home at Marshalltown, Iowa, for the construction of certain buildings, making improvements and providing a contingent fund therefor, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Ellis, Funk, Garst, Lehfeldt, Rikken—6.

So the bill passed and the title was agreed to.

Substitute for House file No. 402, a bill for an act making appropriations for the Industrial Home for the Blind at Knoxville, was read first and second time.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allen, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Funk, Garst, Lehfeldt, Mitchell, Rigen—6.

So the bill passed and the title was agreed to.

Substitute for House file No. 187, a bill for an act to make appropriations for the Soldiers' Orphans' Home for Indigent Children at Davenport, Iowa, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Rigen, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Garst, Hobart, Lehfeldt, Mitchell, Phelps—6.

So the bill passed and its title was agreed to.

Substitute for House file No. 314, a bill for an act making appropriations for the Iowa School for the Deaf at Council Bluffs, Iowa, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hoppers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—45.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Funk, Garst, Kilburn, Lehfeldt—5.

So the bill passed and the title was agreed to.

Substitute for House file No. 503, a bill for an act to provide additional support for the Iowa National Guard, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hoppers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—43.

The nays were:

None.

Absent or not voting:

Senators Berry, Blanchard, Garst, Lehfeldt, Mitchell, Palmer, Pusey—7.

So the bill passed and the title was agreed to.

Senator Lothrop presiding.

Substitute for House file No. 195, a bill for an act entitled an act making appropriations for the Iowa Industrial School, boys' department, at Eldora, Iowa, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Lothrop, Palmer, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Berry, Blanchard, Carney, Ellis, Junkin, Kilburn, Lehfelddt, Mitchell, Penrose—9.

So the bill passed and the title was agreed to.

Substitute for House file No. 238, a bill for an act making appropriation for the penitentiary at Anamosa, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Bell, Berry, Blanchard, Junkin, Lehfelddt, Mitchell, Penrose, Pusey, Young—9.

So the bill passed and the title was agreed to.

Substitute for House file No. 75, a bill for an act making appropriations for State Agricultural College, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson,

Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Perrin, Phelps, Rigger, Sargent, Trewin, Upton—35.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Blanchard, Bonson, Druet, Hobart, Junkin, Lehfeldt, Mitchell, Penrose, Pusey, Ranck, Rowen, Waterman, Young—15.

So the bill passed and its title was agreed to.

Substitute for House file No. 239, a bill for an act making an appropriation for Hospital for insane at Mt. Pleasant, Iowa, was read first and second time.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Perrin, Phelps, Rigger, Rowen, Sargent, Trewin, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Downey, Druet, Junkin, Lehfeldt, Mitchell, Penrose, Pusey, Ranck, Upton—11.

So the bill passed and the title was agreed to.

President Parrott presiding.

Substitute for House file No. 287, a bill for an act making an appropriation for the Hospital for the Insane at Clarinda, Iowa, was read first and second time.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy,

Henderson, Hipwell, Hobart, Hospers, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Carpenter, Downey, Harper, Hotchkiss, Junkin, Lehfelddt, Trewin, Upton, Young—11.

So the bill passed and the title was agreed to.

Substitute for Senate file No. 119, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee, was read first and second time and passed on file.

Substitute for Senate file No. 210, a bill for an act to amend chapter 25 of the acts of the Twenty-second General Assembly, relating to notice of injury, was read and passed on file.

Substitute for Senate file No. 240, a bill for an act making appropriation for the State Industrial School, girls' department, at Mitchellville, Iowa, was read and passed on file.

Substitute for Senate file No. 193, a bill for an act making appropriations for the Institution for Feeble Minded Children, at Glenwood, Iowa, was read and passed on file.

Substitute for Senate file No. 208, a bill for an act making appropriations for the College for the Blind, at Vinton, Iowa, was read and passed on file.

Substitute for Senate file No. 176, a bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution, was read and passed on file.

Substitute for Senate file No. 196, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa, was read and passed on file.

Substitute for Senate file No. 156, a bill for an act making an appropriation for the Hospital for the Insane at Independence, was read and passed on file.

Senate file No. 266, a bill for an act making an appropriation for the penitentiary at Ft. Madison, was read and passed on file.

House file No. 246, a bill for an act to amend section 12 of chapter 80 of the laws of the Twenty-fifth General Assembly relating to the rules governing trustees in the appointment of superintendent, was read first and second time and referred to Committee on Public Health.

House file No. 351, a bill for an act to reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin, soldiers' orphans at the Soldiers' Orphans' Home at Davenport, Iowa, was read first and second time and referred to Committee on Claims.

Senate file No. 394, a bill for an act appropriating funds for the support of the State Fish Commission, was read and passed on file.

House memorial relative to relief of certain citizens of Iowa was read and passed on file.

House file No. 512, a bill for an act to legalize the election at Ames, Iowa, of city officers and the election for the issuance of bonds for sundry purposes, read first and second time and referred to Committee on Judiciary.

REPORT OF COMMITTEE.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 383, a bill for an act making repairs on and keeping in repair the State capitol building and other improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass.

SUBSTITUTE FOR SENATE FILE NO. 383—BY SENATE APPROPRIATION COMMITTEE.

A bill for an an act making repairs on and keeping in repair the State capitol building and other improvements.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for repairs on and keeping in repair the State capitol building and other improvements, out of any money in the State treasury not otherwise appropriated, two thousand one hundred dollars (\$2,100), or so much thereof as may be necessary for the following purposes, to-wit:

For painting walls in committee rooms Nos 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28 and 29, and for painting walls in postoffice lobby and water closet, second floor.

SEC. 2. That there is appropriated out of any money in the State treasury, not otherwise appropriated, in addition to the sum appropriated in section one (1) hereof, the sum of two thousand five hundred dollars (\$2,500) for painting outside work and domes, and the further sum of two thousand five hundred dollars (\$2,500) for fitting Capitol with Welsbach burners.

SEC. 3. The Executive Council shall request bids for the doing of the work called for in section one (1), and let the same to the lowest responsible bidder.

The appropriations made in sections one (1) and two (2) hereof shall be paid at such time and in such manner as the Executive Council may decide, and be paid by warrant drawn by the Auditor of State.

SEC. 4. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

H. L. WATERMAN,

Chairman.

Substitute read first and second time.

Ordered passed on file.

On motion of Senator Waterman substitute for Senate file No. 383 a bill for an act making repairs on, and keeping in repair the State capitol building, and other improvements with report of committee recommending, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Lothrop, Mitchell, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Carpenter, Garst, Junkin, Kilburn, Lehfeldt, Phelps, Upton, Young—10.

So the bill passed and its title was agreed to.

Senator Carney offered the following resolution and moved its adoption:

Be it resolved, That no further consideration be given to Senate file No. 47 by the Senate at this session because it is now apparent that there is not sufficient time before adjournment to properly consider such measure; that the labors of the chairman and several members of the Ways and Means Committee as incorporated in the pending bill entitles it to receive the thoughtful and earnest consideration of the people and of the General Assembly, when it again convenes.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Alexander, Bell, Byers, Carney, Craig, Downey, Druet, Eaton, Ellis, Ericson, Garst, Gorrell, Harper, Harriman,

Henderson, Hospers, Hotchkiss, Kilburn, Rigger, Rower, Trewin, Upton—22.

The nays were:

Senators Berry, Bonson, Carroll, Cheshire, Ellison, Everall, Funk, Healy, Hobart, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Young—31.

So the resolution was adopted.

Senator Rowen offered the following and asked that it be printed in the Journal:

Believing in the principle that the time to consider is too brief for its consideration, I vote "aye."

On motion of Senator Waterman, Senate file No. 451, a bill for an act authorizing the executive council to purchase or condemn a site on which to erect a memorial and art building, to procure plans and specifications therefor, and to take other preliminary steps toward contracting and making appropriations therefor, with report of committee, was taken up, considered, and the report of the committee adopted.

The bill was read first and second time by its title.

The bill was read for information.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

The nays were:

Senators Carroll, Hotchkiss, Kilburn—3.

Absent or not voting:

Senators Allyn, Blanchard, Bonson, Carpenter, Downey, Lehfelddt—6.

So the bill passed and the title was agreed to.

Senator Hotchkiss offered the following, and asked that it be printed in the Journal:

Believing the appropriations already made exceed the probable revenues of the State for the present biennial period, and believing it unwise to exceed the available funds of the State I vote "no."

On motion of Senator Waterman, Senate file No. 314, a bill for an act to appropriate money to pay the expenses of the Iowa Shiloh Battlefield Commission, etc., with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Funk, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Sargent, Trewin, Upton, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Ellison, Ericson, Everall, Garst, Harriman, Kilburn, Lehfelddt, Rigger, Rowen—11.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 451, a bill for an act authorizing the executive council to purchase or condemn a site on which to erect a memorial, historical, and art building, to procure plans and specifications therefor, and take other preliminary steps toward its construction, and making an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 314, a bill for an act appropriating money to pay the expenses of the Iowa Shiloh Battlefield commission appointed by the Governor of the State to locate and mark the positions held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of their duties as such, and to reimburse them for moneys expended in performing said

duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass

H. L. WATERMAN,

Chairman.

Ordered passed on file.

On motion of Senator Kilburn, House file No. 33, a bill for an act to amend chapter 132 of the acts of the Twentieth General Assembly, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up.

On the question, "Shall the report of the committee, including amendments, be adopted?"

The yeas and nays were demanded.

Senator Hotchkiss moved that the time of adjournment be extended until roll call is completed.

Carried.

On the question, "Shall the report of the committee, including amendments, pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carroll, Craig, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gorrell, Harriman, Healy, Hobart, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rowen, Sargent, Trewin, Waterman—31.

The nays were:

Senators Bonson, Carpenter, Cheshire, Gilbertson, Harper, Henderson, Hipwell, Junkin, Ranck, Rikken—10.

Absent or not voting:

Senators Allyn, Blanchard, Downey, Ellison, Hospers, Hurst, Lehfeldt, Upton, Young—9.

So the report of the committee with amendments was adopted.

On behalf of Conference Committee, Senator Druet introduced the following bill:

Senate file No. 452, a bill for an act to provide for the protection of the flags carried by the Iowa soldiers in the war of 1861-1865.

Read first and second time and referred to Committee on Appropriations.

A minority from the Committee on Railways submitted the following minority report:

MR. PRESIDENT—A minority of your Committee on Railroads, to whom was referred House file No. 298, a bill for an act declaring express companies operating and doing business in this State, common carriers, and

providing for their regulation and control by the Railroad Commissioners, beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that the bill do pass.

A. C. HOBART,
JULIAN PHELPS,
W. H. BERRY.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Berry, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file No. 178, a bill for an act to amend section 3 of chapter 41 of the laws of the Twenty-fifth General Assembly, relating to public libraries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. H. BERRY,
Chairman.

Ordered passed on file.

Senator Ericson moved that when the Senate adjourn it be until 8 o'clock to-night.

Lost.

Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, Iowa, Thursday, April 9, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. J. Auracher, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Carney presented petition of citizens of Marshall county relating to rights of women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Hipwell called up motion by Senator Carpenter to reconsider the vote by which House file No. 281 was lost.

On the question, "Shall the vote be reconsidered," the motion prevailed.

Senator Hipwell moved to reconsider the vote by which the bill was ordered to a third reading.

Carried.

Senator Hipwell moved to amend the bill by inserting in section 1, after the word "society," the words "not to exceed one acre."

Adopted.

Senator Hipwell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Carney, Carroll, Cheshire, Craig, Druet, Ellis, Ericson, Everall, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hobart, Hotchkiss, Hurst, Lothrop, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Upton, Waterman, Young—32.

The nays were:

None.

Absent or not voting:

Senators Bell, Byers, Carpenter, Downey, Eaton, Ellison, Funk, Harriman, Healy, Henderson, Hospers, Junkin, Kilburn, Lehfelddt, Mitchell, Palmer, Rowen, Trewin—18.

So the bill passed and the title was agreed to.

Senator Ellis moved to recall substitute for Senate file No. 17 and House file No. 108 from the House for correction.

Carried.

BILLS ON SECOND READING.

On motion of Senator Penrose, Senate file No. 344, a bill for an act granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Penrose moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Hipwell, Hotchkiss, Hurst, Lothrop, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman, Young—33

The nays were:

None.

Absent or not voting:

Senators Bell, Byers, Carpenter, Downey, Everall, Harriman, Healy, Henderson, Hobart, Harper, Junkin, Kilburn, Lehfelddt, Mitchell, Palmer, Phelps, Trewin—17.

So the bill passed and its title was agreed to.

On motion of Senator Perrin, House file No. 165, a bill for an act for the relief of Hiram Redden, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Perrin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Bonson, Carney, Carroll, Cheshire, Craig, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Hotchkiss, Hurst, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Young—30.

The nays were.

Senators Allyn, Berry, Blanchard, Carpenter, Harper, Henderson, Mitchell, Ranck, Waterman—9.

Absent or not voting:

Senators Byers, Downey, Druet, Ellis, Harriman, Hipwell, Hobart, Hospers, Junkin, Kilburn, Lehfelddt—11.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Alexander, House file No. 420 (chapter 167, boards of health in cities under special charters), a bill for an act to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled "an act empowering cities under special charters to establish boards of health," with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—44.

The nays were:

None.

Absent or not voting:

Senators Ellis, Everall, Harriman, Hipwell, Junkin, Lehfelddt—6.

So the bill passed and the title was agreed to.

On motion of Senator Henderson, Joint resolution No. 9, as passed by the House, a Joint resolution for amendment to the constitution of the State of Iowa, proposing the repeal of sections 34, 35 and 36 of article three (3) of the constitution,

and the substitute hereinafter proposed to be adopted in lieu thereof, with report of committee recommending that it do pass, was taken up, considered and the report of the committee adopted.

Joint resolution No. 9 was read for information.

Senator Henderson moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the Joint Resolution pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hospers, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

The nays were:

Senators Bonson, Downey, Everall, Hipwell, Hurst, Ranck—6.

Absent or not voting:

Senators Carpenter, Harriman, Harper, Junkin, Lehfeldt—5.

So the Joint Resolution passed and the title was agreed to.

Senator Kilburn called up House file No. 33, under consideration when Senate adjourned.

Senator Kilburn moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Perrin, Phelps, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman—38.

The nays were:

Senators Craig, Ellis, Lothrop, Pusey—4.

Absent or not voting:

Senators Bell, Eaton, Harriman, Hipwell, Hurst, Lehfeldt, Penrose, Young—8.

By unanimous consent its sections were re-numbered

So the bill passed and its title was agreed to.

Senator Lothrop offered the following and asked that it be printed in the Journal:

MR. PRESIDENT—On this bill, believing that it is a radical departure from the principles of the republican form of government, un-American and inquisitorial, unjust to manufacturers and bringing no advantage whatever to the laborers, but on the contrary will work to their injury, and to the mutual injury of both employer and employe by tending to beget and intensify antagonism between them, producing strife and distrust when mutual interests demand concord and confidence, I vote "no."

Senator Waterman moved that the monument report of committee be made a special order for 3 o'clock P. M. to-day.

On this a division was called for and the motion was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following Senate report, in which the concurrence of the House was asked:

Report favoring the pardon of George A. Trout.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

Senator Ellis called up the application for the pardon of William Slowey.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton—36.

The nays were:

Senators Cheshire, Craig, Eaton, Ranck—4.

Absent or not voting:

Senators Berry, Downey, Everall, Gilbertson, Healy, Junkin, Lehfelddt, Mitchell, Waterman, Young—10.

So the report of the committee was adopted.

President *pro tem* Funk presiding.

On motion of Senator Garst, Senate file No. 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this State by insurance companies, associations, partnerships, individual or individuals, without their first having complied with the insurance laws of this State, with report of committee recommending that it do pass, was

taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst offered the following amendment:

Provided, That nothing in this act shall effect contracts made by purely mutual associations organized to insure lumber yard risks, packing houses and products exclusively.

Adopted.

Senator Ellis offered the following amendment to the amendment:

Insert after the word "risks" the words "packing houses and their products."

Adopted.

President Parrott presiding.

The amendment as amended was adopted.

Senator Funk moved that when the Senate adjourn it be until 3 o'clock to-day.

Carried.

Senator Ellis offered the following amendment to the bill.

Strike out the words "shall be null, void, and of no effect, and is hereby declared to be an illegal contract," and insert the following in lieu thereof: "shall be unlawful, but shall be upheld in case of loss by the assured, but the agent of any such company shall be liable to a fine of two hundred dollars as a penalty for each and every contract of insurance so entered into."

On this a division was called for and the amendment was lost.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed.

Senator Hospers moved that the reading just had be the third reading.

Carried.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Byers, Cheshire, Craig, Downey, Eaton, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hobart, Hotchkiss, Hurst, Junkin, Mitchell, Palmer, Penrose, Perrin, Pusey, Ranck, Riggen, Rowen, Sargent, Young—33.

The nays were:

Senators Berry, Bonson, Carney, Carpenter, Carroll, Ellis, Harriman, Lothrop, Upton—9.

Absent or not voting:

Senators Druet, Hipwell, Hospers, Kilburn, Lehfeldt, Phelps, Trewin, Waterman—8.

So the bill passed and its title was agreed to.

Senator Lothrop asked that House file No. 351 be referred to Committee on Claims.

So ordered.

HOUSE MESSAGES.

House file No. 411, a bill for an act to reimburse Cedar county, Iowa, for the maintenance of Stella Lupton, a soldier's orphan, at the Soldiers' Orphans' Home at Davenport, Iowa, was read first and second time and referred to Committee on Claims.

Senator Rowen moved to take up Senate file No. 363.

On this a division was called for and the motion was lost.

Senator Carpenter moved that the time of adjournment be extended three minutes.

Carried

Senator Penrose moved to take up House file No. 464, a bill for an act to amend section 29, chapter 28, laws of the Twenty-second General Assembly, relating to railroads and common carriers, with report of committee recommending it do pass.

On this a division was called for and the motion prevailed.

Senator Carroll moved that the hour of adjournment be extended until this bill is disposed of.

Carried.

The bill was read for information.

Senator Penrose moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellison, Ericson, Everall, Funk, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Bonson, Ellis, Garst, Harper, Hospers, Lehfeldt, Mitchell, Phelps, Ranck—9.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Palmer from the Committee on Agriculture submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate files Nos. 310, 281, 308 and 334, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed.

D. J. PALMER,
Chairman.

Ordered on Calendar without reading.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 348, a bill for an act authorizing the employment of persons in the penitentiaries on work for the improvement of streets and highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Ordered on Calendar without reading.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 373, a bill for an act prohibiting the removal of dirt, gravel or sand from the public highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Ordered on Calendar without reading.

Senator Funk, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House file No. 270, a bill for an act to amend section 801 of the Code of 1873, relating to the assessment of taxes beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. B. FUNK,
Chairman.

Ordered on Calendar without reading.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 385, imposing a collateral inheritance tax and providing for the collection of the same.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 22, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 136, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 240, a bill for an act making appropriation for the State Industrial School, girls' department, at Mitchellville, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 113, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 193, a bill for an act making appropriations for the Institution for Feeble-Minded Children at Glenwood, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 210, a bill for an act to amend chapter 25 of the acts of the Twenty-second General Assembly, relating to notice of injury.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 118, a bill for an act making appropriation to purchase land for the site of the Hospital for the Insane at Cherokee.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that that they have examined, and find correctly enrolled, Senate file No. 394, a bill for an act appropriating funds for the support of the State Fish Commission.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 430, a bill for an act to legalize the action of the Board of Directors of the District Township of Poweshiek, in Jasper county.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 424, a bill for an act legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances, in 1895.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 395, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the union.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 362, a bill for an act to enable the trustees or commissioners of State institutions to lay out, establish, vacate or change public highways through land owned by the State, on which State institutions are situated.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa Infantry for "gray" uniforms purchased during the war.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 317, a bill for an act to amend section three thousand and sixty-one (3061) of the Code relating to the rate of interest on judgments where a stay of execution is taken.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 211, a bill for an act granting additional powers to certain cities of the first class and cities acting under special charters in reference to the improvement of streets, highways, avenues or alleys, and to provide for the payment of the cost thereof.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 297, a bill for an act to amend section 4091 of the Code relating to nuisances.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 170,

a bill for an act regulating fees for the incorporation and increase in capital stock of companies and corporations in the State of Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 140, a bill for an act to repeal sections 1, 2 and 3 of chapter 79, acts of the Twenty-first General Assembly, as amended by chapter 67, acts of the Twenty-second General Assembly, in relation to the spread of disease among swine, and to enact a substitute therefor.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873, relative to offices, fuel and stationery for county officers.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county fund and county bridge fund.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 68, a bill for an act relative to trimming osage orange, willow and all other hedge fences along the highway.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 341, a bill for an act to declare Spirit and Okoboji Lakes, in Dickinson county, to be public, navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health, and for the culture of fish therein.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Senator Carpenter offered the following concurrent resolution and asked that it be laid over.

CONCURRENT RESOLUTION.

WHEREAS, The people of the state of Iowa have deemed it advisable to codify and revise the statutes of the state and the Twenty-fifth General Assembly in obedience to the will of the people as interpreted by them, appointed a commission to do said work and make report thereof to the Twenty-sixth General Assembly for their action; and,

WHEREAS, Said commission after two years' labor reported to the Twenty-sixth General Assembly a proposed code of over one thousand pages, containing a revision and codification of the statutes of the state, and this assembly has entered into an examination and discussion thereof, and has now been in session the customary period and has not been able to pass upon more than one-half of said report up to the present time, for the reasons:

First.—That the assembly has been compelled to consider matters of original legislation presented in 950 bills in addition to the aforesaid code work.

Second.—For the reason that the revision requires an examination of the Code of 1873 and the acts of eleven general assemblies, the Fifteenth to Twenty-fifth inclusive, and the work of examining and comparing the proposed Code with existing statutes is slow and laborious.

Third.—For the reason that the commission embodied in the reported Code numerous changes from existing law, which changes have compelled the assembly to consume time in thier examination and discussion; and

WHEREAS, Doubts have arisen as to the accuracy of the revision of certain chapters and titles, and it is deemed unwise to pass the same until ample time can be given the people of the state to examine and compare the proposed Code with existing law; and

WHEREAS, The proposed Code was not published until December, 1895, and little opportunity was given for such examination and comparison by any one prior to the convening of this General Assembly; and

WHEREAS, The future value of the revision depends upon the care exercised in the work, and its importance demands ample time for thorough consideration, and the exclusion of original legislation is necessary while the proposed revision is under discussion, therefore be it

Resolved by the Senate, the House Concurring, That we deem it impossible, under existing circumstances, to complete the work of the Code revision at this or any other regular session, or any reasonable extension of the present session, in a manner that would be satisfactory and acceptable and just to the people of the State;

That the propriety and expediency of Code revision can not now be questioned, and the work, if thoroughly done, will be of lasting value to the State;

That we deem it advisable to secure the benefit of the knowledge and experience acquired by this Assembly in the work of Code revision, and the benefit of the work done by them, and believe it to be for the welfare of the State and in the interest of economy that the work be completed at as early a date as practicable, and not later than January, 1897.

The President of the Senate announced the following as the Sifting Committee:

Senators Garst, Cheshire, Berry, Funk, Palmer, Upton, Penrose, Harriman, Ranck.

Senate adjourned until 3 o'clock P. M. to-day.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 3 o'clock P. M., President Parrott presiding.

Senator Garst from the Sifting Committee presented the following joint resolution and moved its adoption:

JOINT RESOLUTION NO. 18.

Be it Resolved by the Twenty-sixth General Assembly, That the Secretary of state be and is hereby directed to furnish Senator John Downey a copy of McClain's Code to replace the copy purloined from his desk.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Allyn, Bell, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Harper, Harriman, Healy, Henderson, Hospers, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rowen, Sargent, Trewin, Upton—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Craig, Downey, Druet, Everall, Gilbertson, Gorrell, Hipwell, Hobart, Hotchkiss, Kilburn, Lehfelddt, Mitchell, Ranck, Rigger, Waterman, Young—18.

So the joint resolution passed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following report, in which the concurrence of the House was asked:

Report relative to the application of William Slowey for a pardon.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has rejected the following bill, in which the concurrence of the House was asked:

Senate file No. 198, a bill for an act to repeal sections 1 and 4 of chapter 82 of acts of the Fourteenth General Assembly, as amended by chapter 195 of the acts of the Twentieth General Assembly, in relation to the dissection of dead bodies, and to enact a substitute therefor.

JAS. D. ROWEN,
Chief Clerk.

Also.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 415, a bill for an act to legalize the ordinances of the town of Clare, Iowa.

Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed and elections held to bond the city of Pella.

Senate file No. 447, a bill for an act to extend the time of the incorporation of Oak Hill Cemetery Association, of Florence township, Benton county, Iowa, and to legalize all its acts and proceedings in the election of its officers, the selling and conveying of lots.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has returned the following bill:

By Senator Ellis, Senate file No. 17, a bill for an act to amend chapter 35, laws of the Twenty-second General Assembly, relating to aliens inheriting, and also House file No. 108.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 385, a bill for an act to improve the public highways of the state by encouraging the use of wide tires upon wagons carrying heavy loads thereon.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended the following Joint resolution, in which the concurrence of the House was asked:

Joint Resolution No. 17, relative to procuring McClain's Code for certain members of the House and Senate.

JAMES D. ROWEN,
Chief Clerk.

REPORT OF SIFTING COMMITTEE.

Senator Garst, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred House files Nos. 298, 332, 317, 483, 480, 495, 478, 428 and 346, a bill for an act declaring express companies common carriers, and providing for their regulation and control by the Railroad Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

On motion of Senator Garst, House file No. 298, a bill for an act declaring express companies, operating and doing business in this state, common carriers, and providing for their regulation and control by the Railroad Commissioners, with report of committee recommending majority and minority reports was taken up and considered.

Senator Healy moved that the minority report be substituted for the majority report.

Carried.

The minority report was adopted.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were;

Senators Alexander, Allyn, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—43.

Senator Lothrop voted in the negative.

Absent or not voting:

Senators Blanchard, Druet, Hipwell, Lehfeldt, Mitchell, Young—6.

So the bill passed and the title was agreed to.

On motion of Senator Garst, House file No. 480, a bill for an act to repeal sections 1 and 2, chapter 20, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of sub-directors from three years to one year, with report of committee recommending that the

same do pass, was taken up, considered, and the report of the committee adopted.

Bill read for information.

Senator Sargent moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carpenter, Cheshire, Downey, Eaton, Ellis, Ericson, Funk, Garst, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman—35.

The nays were:

Senators Bonson, Carney, Carroll, Everall, Hurst—5.

Absent or not voting:

Senators Craig, Ellison, Gilbertson, Hipwell, Lehfeldt, Mitchell, Palmer, Trewin, Young—9.

So the bill passed and its title was agreed to.

INTRODUCTION OF BILLS.

By Senator Waterman, from Appropriation Committee, Senate file No. 453, a bill for an act to provide a general levy for State purposes.

Read first and second time and the report of the committee adopted.

The bill was read for information.

Senator Waterman moved that that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Downey, Druet, Ellison, Harper, Harriman, Lehfelddt, Lothrop, Mitchell, Ranck, Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Garst, House file No. 495, a bill for an act to legalize the official acts of the town council and ordinances of the incorporated town of Scranton in Greene county, Iowa, with report of committee recommending amendments, and when so amended it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the title be amended by inserting the words "a bill for."

Adopted.

Senator Garst moved that the rule be suspended, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Upton—39.

The nays were:

None.

Absent or not voting:

Senators Bell, Berry, Gilbertson, Harper, Lehfelddt, Mitchell, Palmer, Pusey, Trewin, Waterman, Young—11.

So the bill passed and the title was agreed to.

On motion of Senator Garst House file No. 332, a bill for an act to amend section 989 of the Code, relating to the drainage of surface water from the highway, with report of committee recommending certain amendments, and when so amended it do pass, was taken up and considered.

Senator Carpenter moved that the amendment reported by the committee be not concurred in.

On this a division was called for and the motion prevailed.

The bill was read for information.

Senator Carpenter moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Byers, Carney, Carpenter, Cheshire, Craig, Druet, Ellis, Ellison, Funk, Garst, Gilbertson, Gorrell, Hospers, Hotchkiss, Palmer, Penrose, Phelps, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Young—28.

The nays were:

Senators Bonson, Carroll, Eaton, Everall, Harriman, Healy, Henderson, Hipwell, Hobart, Hurst, Kilburn, Lothrop, Perrin—13.

Absent or not voting:

Senators Berry, Downey, Ericson, Harper, Junkin, Lehfeldt, Mitchell, Ranck, Waterman—9.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Trewin, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 413, a bill for an act to repeal sections 1 and 2, chapter 30, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of sub-director from three years to one year, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that House file covering the same subject has already passed the Senate.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 439, a bill for an act making an appropriation for payment to members of the Code Commission of unpaid balance of their claims for service, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without any action having been taken by your committee thereon.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 351, a bill for an act to reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin, soldiers' orphans, at the Orphans' Home at Davenport, Iowa, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 411, a bill for an act to reimburse Cedar county, Iowa, for the maintenance of Stella Lupton, a soldiers' orphan at the Soldiers' Orphans Home at Davenport, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 440, a bill for an act to appropriate money for payment to the clerk of the Code commission of the unpaid balance of her claim for services, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without any action having been taken by your committee thereon.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Waterman from the Committee on Appropriations submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file Nos. 36, 124, 172, 190, 195, 206, 228, 248, 277, 289, 444, and 394, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that each one thereof be indefinitely postponed for the reason that the House files covering these same bills have been reported upon instead.

H. L. WATERMAN,
Chairman.

Senator Waterman moved that the report of the committee be adopted.

Carried.

Also.

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate files Nos. 250, 269, 333, and 414 and House file No. 300 beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that each one thereof be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Waterman moved the report of committee be adopted.

Carried.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 453, a bill for an act to provide for a general levy for State purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No 97, a bill for an act relating to the creation of liens upon exempt personal property.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No 488, a bill for an act legalizing ordinances Nos. 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 253, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325 of the city of Clinton, Clinton county, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 146, a bill for an act to amend section 1, chapter 23, acts of the Twentieth General Assembly, relative to the expenditures of insane soldiers' pensions.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House file No. 174, a bill for an act to amend section 1395 of the Code of 1873, in relation to commissioners of insanity.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 208, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa,

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House file No. 119, a bill for an act to amend chapter 91 of the Twenty-fifth General Assembly of Iowa relating to the extermination of Russian thistles.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 489, a bill for an act legalizing the annexation of the city of Lyons to the city of Clinton, in Clinton county, state of Iowa, and all the acts done and ordinances passed by the city councils of the city of Clinton and city of Lyons in relation thereto.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file

No. 486, a bill for an act to legalize the incorporation proceedings and ordinances passed by the incorporated town of Woolstock, Wright county Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 509, a bill for an act to provide for the allowance and payment of two hundred and seventy-five dollars to the widow of the late F. McClelland, a member of this House.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House file No. 290, a bill for an act to amend section 1, chapter 1, acts of the Twenty-fourth General Assembly, establishing a board of park commissioners in certain cities of the first class, defining their powers and describing their duties.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 83, a bill for an act to amend section 3, chapter 161, acts Twenty-first General Assembly, as amended by section 12, chapter 48, of the acts of the Twenty-second General Assembly of the state of Iowa, relating to the registration of voters.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House file No. 325, a bill for an act to amend chapter 62 of the acts of the Twenty-fifth

General Assembly, entitled an act to tax the traffic in intoxicating liquors, and to regulate and control the same.

G. S. GILBERTSON,
Chairman Senate Committee,
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 156, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 118, a bill for an act making appropriation to purchase land for the site of the Hospital for the Insane at Cherokee.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 210, a bill for an act to amend chapter 25, of the acts of the Twenty-second General Assembly relating to notice of injury.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 119, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 385, a bill for an act imposing a collateral inheritance tax and providing for the collection of the same.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 341, a bill for an act to declare Spirit and the Okoboji lakes, in Dickinson county, to be public, navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health and for the culture of fish therein.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 317, a bill for an act to amend section three thousand and sixty-one (3061), of the Code relating to the rate of interest on judgment where a stay of execution is taken.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No.

235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 211, a bill for an act granting additional powers to certain cities of the first class and cities acting under special charters, in reference to the improvement of streets, highways, avenues or alleys, and to provide for the payment of the cost thereof.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 72, a bill for an act to provide for the publication of the annual proceedings of the Iowa State Dairy association.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873 relative to offices, fuel and stationery for county officers.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 424, a bill for an act legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances, in 1895.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 430, a bill for an act to legalize the action of the board of directors of the district township of Poweshiek, in Jasper county.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa Infantry for "gray" uniforms purchased during the war.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 362, a bill for an act to enable the trustees or commissioners of State institutions to lay out, establish, vacate, or change public highways through land owned by the State on which State institutions are situated.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 395, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the union.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file

No. 22, a bill for an act to authorize the transfer of county road fund and county bridge fund.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 240, a bill for an act making appropriation for the State Industrial School, girls' department, at Mitchellville, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 68, a bill for an act relative to trimming osage orange, willow and all other hedge fences along the highway.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 394, a bill for an act appropriating funds for the support of the State Fish Commission.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 193, a bill for an act making appropriations for the Institution for Feeble Minded Children at Glenwood, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 140, a bill for an act to repeal sections 1, 2 and 3 of chapter 79, acts of the Twenty-first General Assembly, as amended by chapter 67, acts of the Twenty-second General Assembly, in relation to the spread of disease among swine and to enact a substitute therefor.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Palmer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 326, a bill for an act to provide for the encouragement of the manufacture of sugar, and provide a compensation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Sifting Committee.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House file No. 479, a bill for an act to change and modify the portraiture and designs to be placed on the Iowa Soldiers' and Sailors' Monument and directing the Soldiers' Monument Commission therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Strike out section 1 and insert the following in lieu thereof:

SECTION 1. That the figure designated as "Victory" or "Peace" now upon the top of the Soldiers' and Sailors' Monument, be removed and replaced by the figure of an infantry soldier cast of the same or similar material as that so removed to be in full uniform and equipment, standing at parade rest.

Strike out of the second line of section 2 the words "and destroy the records of the commission."

Strike out of sections 6 and 7 and insert in lieu thereof the words "place the base reliefs representing the battle of Fort Donaldson" and the "Triumphal Return" as proposed by the commission.

Strike out the words "Eight Thousand" in the first line of section 9 and insert in lieu thereof the words "Thirteen Thousand and Five Hundred Dollars."

And when so amended the bill do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 386, a bill for an act authorizing the appointment of a commission to co-operate with the Vicksburg National Military Park Commission in ascertaining and marking the positions occupied by the several regiments and the batteries of Iowa troops engaged in the battles and siege of Vicksburg, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Labor, submits the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 94, a bill for an act to revise, amend, and codify the statutes in relation to certain police regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 115, a bill for an act to regulate the computation and compensation for mileage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 43, a bill for an act to amend chapter 132 of the acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed, as a bill of the same character has passed the General Assembly.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Healy, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred House file No. 289, a bill for an act to amend section 1047 of the Code, relating to forfeiture of corporate franchises, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the Senate with the recommendation that the said bill be not concurred in.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred House file No. 143, a bill for an act to prohibit telephone companies from charging extra fees for sending messages crossing county lines within the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be not concurred in.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Perrin, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 214, a bill for an act to amend section eighteen (18) of chapter sixty-two (62) of the acts of the Twenty-fifth General Assembly, entitled "An act to tax the traffic in intoxicating liquors and to regulate and control the same," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WM. B. PERRIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 25, a bill for an act to amend section twelve (12), of chapter sixty-two (62) of the acts of the Twenty-fifth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WM. B. PERRIN,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 482, a bill for an act to provide for an exhibit of the resources of the state of Iowa at the Trans-Mississippi and International exposition to be held at Omaha in the year 1898.

House file No. 481, a bill for an act to provide for a proper recognition of the battleship Iowa.

House file No. 507, a bill for an act defining the number of officers and employes of the General Assembly.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 344, a bill for an act granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

Senate file No. 145, as amended by Committee on Ways and Means, a bill for an act to provide for the taxation of express companies.

Senate file No. 446, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3 laws of the Twenty-fifth General Assembly; and House file No. 161, enacted by the Twenty-sixth General Assembly, relating to indebtedness of cities and towns.

Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873 relating to the taxation of money.

Senate file No. 451, a bill for an act to authorize the executive council to purchase or condemn a sight on which to erect a memorial, historical and art building, to procure plans and specifications therefor, and take other preliminary steps towards its construction and making appropriations therefor.

JAMES D. ROWEN,
Chief Clerk.

BILLS ON SECOND READING.

On motion of Senator Garst, House file No. 817, a bill for an act to pay the expense of procuring badges for certain employes of the Twenty-sixth General Assembly, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass," the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Rigger, Rowen, Sargent, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Bell, Downey, Lehfeldt, Mitchell, Phelps, Trewin, Upton, Young—8.

So the bill passed and its title was agreed to.

HOUSE MESSAGES.

Senator Garst moved to take up House messages.

President *pro tem* Funk presiding.

House resolution relative to the pardon of Wm. Slowey.

Senator Ellis moved that the Senate adopt the House resolution relative to the pardon of Wm. Slowey.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Druet, Ellis, Ellison, Funk, Garst, Gilbertson, Harper, Harriman, Healy, Henderson, Hipwell, Hobart, Hospers, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Young—36.

The nays were:

Senators Cheshire, Eaton, Ranck—3.

Absent or not voting:

Senators Bell, Berry, Ericson, Everall, Lehfeldt, Mitchell, Waterman—7.

So the resolution was adopted.

House memorial relative to relief of certain citizens of Iowa, was read and passed on file.

Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed and elections held to bond the city of Pella, was read and passed on file.

Senate file No. 447, a bill for an act to extend the time of the incorporation of Oak Hill Cemetery association, of Florence township, Benton county, Iowa, and to legalize all its acts and proceedings in the election of its officers and the selling and conveying of lots, was read and passed on file.

Senate file No. 415, a bill for an act to legalize the ordinances of the town of Clare, Iowa.

Senate file No. 198, a bill for an act to repeal sections 1 and 4 of chapter 82 of the acts of the Fourteenth General Assembly, as amended by chapter 195 of the acts of the Twentieth General Assembly, in relation to the dissection of dead bodies, and to enact a substitute therefor, was read and passed on file.

Amended joint resolution No. 17, relative to providing McClain's Code to certain members of the House and Senate.

Senator Lothrop moved that that the Senate concur in House amendments to Joint Resolution No. 17.

On the question, " Shall the amendments be concurred in ? " the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hospers, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—41.

The nays were:

None.

Absent or not voting:

Senators Allyn, Craig, Everall, Harriman, Hobart, Hurst, Lehfelddt, Mitchell, Ranck—9.

Senate report on pardon of George A. Trout was read and passed on file.

House file No. 385, a bill for an act to improve the public highways of the state by encouraging the use of wide tires upon wagons carrying heavy loads thereon, was read first and second time and referred to Committee on Sifting.

Senate file No. 145, a bill for an act to provide for taxation of express companies, was read and passed on file.

Senate file No. 446, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-fifth General Assembly, relating to indebtedness of cities and towns, was read and passed on file.

Senate file No. 451, a bill for an act to authorize the executive council to purchase or condemn a site on which to erect a memorial, historical and art building, to procure plans and specifications therefor, and take other preliminary steps towards its construction, and making appropriations therefor, was read and passed on file.

Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873, relating to the taxing of money, was read and passed on file.

Senate file No. 344, a bill for an act granting to city and town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire, was read and passed on file.

House file No. 507, a bill for an act defining the number of officers and employes of the general assembly, was read first and second time and referred to Committee on Sifting.

House file No. 481, a bill for an act to provide for a proper recognition of the battleship Iowa, was read first and second time and referred to Committee on Appropriations.

House file No. 482, a bill for an act to provide for an exhibit of the resources of the State of Iowa at the Trans-Mississippi and International exposition to be held at Omaha in the year 1898, was read first and second time and referred to Committee on Appropriations.

House file No. 102, a bill for an act to reimburse John L. Brown as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and his official rights and duties, was read first and second time,

Senator Byers moved that the bill be taken up for consideration.

On the question, "Shall the bill be taken up for consideration?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Druet, Eaton, Ellis, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Hurst, Lothrop, Parrin, Phelps, Pusey, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—35.

The nays were:

Senators Bonson, Cheshire, Craig, Downey, Junkin, Kilburn, Palmer, Penrose, Ranck—9.

Absent or not voting:

Senators Bell, Ellison, Everall, Hipwell, Lehfeldt, Mitchell—6.

So the bill was taken up for consideration.

The bill was read for information.

Senator Byers moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senator Alexander, Allyn, Bell, Berry, Blanchard, Byers Carney, Carpenter, Carroll, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hospers, Hurst, Lothrop, Phelps, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Waterman, Young—35.

The nays were:

Senators Bonson, Cheshire, Downey, Hotchkiss, Junkin, Kilburn, Perrin, Ranck—8.

Absent or not voting:

Senators Craig, Everall, Hipwell, Lehfeldt, Mitchell, Palmer, Penrose—7.

So the bill passed and its title was agreed to.

BILLS ON SECOND READING.

On motion of Senator Garst, House file No. 478, a bill for an act to legalize the purchase of ground by the independent district No. 9, of West Lafayette township, Keokuk county, Iowa, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Rikken moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carpenter, Carroll, Cheshire, Craig, Druet, Eaton, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Rikken, Rowen, Sargent, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Carney, Downey, Ellis, Ericson, Harriman, Hospers, Lehfeldt, Mitchell, Pusey, Ranck, Trewin, Upton, Young—13.

So the bill passed and its title was agreed to.

On motion of Senator Garst, substitute for House file No. 483, a bill for an act providing for the appointment and salary of a secretary and treasurer of the commissioners of pharmacy, prescribing his duties, providing for him giving bond and for

the inspection by the Governor of the books and accounts of the commissioners, with report of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Rikken moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Drue, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hobart, Hotchkiss, Hurst, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Ranck, Rikken, Rowen, Sargent, Trewin, Young—39.

The nays were:

None.

Absent or not voting:

Senators Bell, Downey, Harper, Hipwell, Hospers, Junkin, Kilburn, Lehfeldt, Pusey, Upton, Waterman—11.

So the bill passed and the title was agreed to.

On motion of Senator Garst, Senate file No. 428, a bill for an act fixing the number of Senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Upton moved to amend the bill by striking out the word "senatorial" in the last line of the bill.

Adopted.

Senator Upton moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Drue, Eaton, Ellison, Ericson, Everall, Garst, Gilbertson, Gorrell, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Pusey, Rikken, Rowen, Sargent, Trewin, Upton, Waterman—39.

The nays were:

Senators Funk and Henderson.

Absent or not voting:

Senators Bell, Downey, Ellis, Harper, Hospers, Lehfeldt, Phelps, Ranck, Young—9.

So the bill passed and its title was agreed to.

Senator Funk offered the following and asked that it be printed in the Journal:

Because this bill is so manifestly unjust to the counties of Northwest Iowa, many of which have doubled in population since the last apportionment in 1886, I vote "no."

A. B. FUNK.

On motion of Senator Garst, Senate file No. 346, a bill for an act defining the duties of the Attorney-General, and fixing the compensation of the same, with report of committee recommending the same do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Blanchard, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Upton, Waterman—41.

Senator Hurst voted in the negative.

Absent or not voting:

Senators Bell, Bonson, Harriman, Hospers, Kilburn, Lehfeldt, Trewin, Young—8.

So the bill passed and the title was agreed to.

Senator Harper offered the following resolution and moved its adoption:

Resolved, That to the retiring Lieutenant-Governor, Matt Parrott, this body most sincerely and heartily extends its thanks for his able and satisfactory administration of the burdensome duties of his high office. That his kind and uniform courtesy to Senators personally, wins for him our most grateful remembrance, and as he goes from here deeper into the

shades of his useful life, he will carry with him our sincerest and tenderest recollection and cordial interest in his future good fortune, health and happiness.

Resolved, That as a further mark of esteem to Lieutenant-Governor Parrott, the Senate hereby presents to him the chair he has so ably filled and the gavel used by him during his term of office of President of the Senate.

Adopted by rising vote.

Senator Carney moved that the Senate do now adjourn.

Carried.

Senate adjourned until to-morrow at 9 A. M.

SENATE CHAMBER,
DES MOINES, Iowa, Friday, April 10, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by the Rev. Chas. H. Stearns, of Des Moines, Iowa.

On request of Senator Rowen, leave of absence was granted Senator Riggen.

REPORTS OF STANDING COMMITTEES.

Senator Harriman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 48, a bill for an act to revise and amend and codify the laws in relation to roads, bridges and fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

In chapter 1, section 35, line 4, printed bill, after the word "board" to insert the words "of supervisors." In chapter 1, section 45, line 4, printed bill, after the word "bridge," to insert the words "and cattleway." In chapter 2, section 1, line 3, printed bill, to strike out the word "October," and insert the word "November" in lieu thereof. In chapter 2, section 1, line 12, printed bill, to strike out the word "October" and insert the word "November" in lieu thereof. To strike out all of sections 3 and 4 in chapter 2 of printed bill.

In chapter 2, section 15, line 1, of printed bill to strike out the word "October" and insert the word "November" in lieu thereof.

In chapter 2, section 21, line 2, of printed bill to strike out the word "October" and insert the word "November" in lieu thereof.

In chapter 2, section 24, line 4, printed bill to strike out the word "nine" and insert the word "eight" in lieu thereof.

In chapter 2, section 27, line 2, printed bill to strike out the word "October" and insert the word "November" in lieu thereof.

In chapter 2, section 35, line 1, printed bill, to strike out the words "or bull thistles" after the words "Canada thistles."

In chapter 2, section 39, line 1, printed bill to strike out the word "October" and insert the word "November" in lieu thereof, and that ~~the~~ so amended the bill do pass.

W. F. HARRIMAN,
Chairman

Ordered passed on file.

Senator Young from the Committee on Congressional and Judicial Districts submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 401, a bill for an act to amend section three (3) of chapter one hundred and thirty-four (134) acts of the Twenty-first General Assembly, to transfer Harrison county from the Fourth to the Fifteenth judicial district, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. H. YOUNG,
Chairman

Ordered passed on file.

Senator Healy, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred House file No. 289, a bill for an act to amend section 1074 of the Code relating to forfeiture of corporate franchises, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the said bill be not concurred in.

THOS. D. HEALY,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred House file No. 143, a bill for an act to prohibit telephone companies from charging extra fees for sending messages crossing county lines within the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be not concurred in.

THOS. D. HEALY,
Chairman

Ordered passed on file.

Senator Garst, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred Senate and House files, respectfully beg leave to report that they have had under consideration Senate and House files as follows:

Senate files Nos. 69, 416 and 249.

House files Nos. 385, 331, 456, 270, 411, 470, 501, 351, 408, 512 and 491.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Sifting Committee, to whom was referred Senate and House files, respectfully beg leave to report that they have had under consideration Senate and House files as follows:

Senate files Nos. 69, 416 and 249.

House files Nos. 385, 331, 456, 270, 411, 470, 501, 351, 408, 512, 491.

WARREN GARST,
Chairman

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Garst, from the Sifting Committee, House file No. 491, a bill for an act to legalize the incorporation of the town of Jolley, Calhoun county, Iowa, the election of its officers, and all official acts done and ordinances passed by the council of said town, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Ellison, Henderson, Hospers, Junkin, Lehfelddt, Penrose, Rikken, Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Garst, from the Sifting Committee, Senate file No. 501, a bill for an act to legalize certain elections held in the incorporated town of Rose Hill, county of Mahaska, State of Iowa, with report of committee, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Lothrop, Palmer, Perrin, Phelps, Ranck, Rowen, Sargent, Trewin, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellison, Henderson, Hospers, Junkin, Lehfelddt, Mitchell, Penrose, Pusey, Rigger, Upton—11.

So the bill passed and the title was agreed to.

On motion of Senator Garst, from Sifting Committee, House file No. 512, a bill for an act to legalize the election at Ames, Iowa, of city officers and the issuance of bonds for sundry purposes, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Blanchard, Bonson, Byers, Carney, Carroll, Craig, Downey, Eaton, Ellis, Ericson, Funk, Gorrell, Harper, Henderson, Hipwell, Hobart, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Penrose, Perrin, Phelps, Pusey, Rowen, Sargent, Trewin, Upton, Waterman, Young—33.

Senator Hurst voted in the negative.

Absent or not voting:

Senators Bell, Berry, Carpenter, Cheshire, Druet, Ellison, Everall, Garst, Gilbertson, Harriman, Healy, Hospers, Lehfelddt, Palmer, Ranck, Rigger—16.

So the bill passed and the title was agreed to.

On motion of Senator Garst, from Sifting Committee, House file No. 408, a bill for an act to amend section 3956 of the Code of Iowa, relative to assisting prisoners to escape, with report

of committee recommending certain amendments, and that when so amended the bill do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hotchkiss Junkin, Kilburn, Lothrop, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Upton, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Eaton, Ellison, Harriman, Hospers, Hurst, Lehfeldt, Mitchell, Palmer, Rigger, Young—11.

So the bill passed and the title was agreed to.

On motion of Senator Garst, from the Sifting Committee, Senate file No. 69, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security, with report of committee recommending a substitute, and when same is adopted that the bill do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hipwell moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ericson, Funk, Garst, Gorrell, Harriman, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Lothrop, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Upton—33.

Senator Healy voted in the negative.

Absent or not voting:

Senators Berry, Carpenter, Eaton, Ellison, Everall, Gilbertson, Harper, Hospers, Kilburn, Lehfelddt, Mitchell, Palmer, Rigger, Trewin, Waterman, Young—16.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Waterman, from the Committee on appropriations submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 481, a bill for an act to provide for a proper recognition of the battleship Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,

Chairman

Read first and second time.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 482, a bill for an act to provide for an exhibit of the resources of the state of Iowa at the Trans-Mississippi and International Exposition to be held at Omaha in the year 1898, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

H. L. WATERMAN,

Chairman

Read first and second time.

BILLS ON SECOND READING.

On motion of Senator Waterman, House file No. 481, a bill for an act to provide for a proper recognition of the battleship Iowa, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Lothrop, Mitchell, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Byers, Carpenter, Eaton, Everall, Harper, Hospers, Hurst, Junkin, Kilburn, Lehfelddt, Palmer—11.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, House file No. 482, a bill for an act to provide for an exhibit of the resources of the state of Iowa at the Trans-Mississippi and International exposition to be held at Omaha in the year 1898, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted. •

The bill was read for information.

Senator Waterman moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Ellis, Ellison, Ericson, Funk, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hotchkiss, Hurst, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Waterman, Young—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Eaton, Everall, Garst, Harriman, Hobart, Hospers, Kilburn, Lehfelddt—10.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this State by insurance companies, associations, partnerships, individual or individuals, without their first having complied with the insurance laws of this State.

Senate file No 453, a bill for an act to provide a general levy for State purposes.

Substitute for Senate file No. 383, a bill for an act making repairs on and keeping in repair the State Capitol building and other improvements.

Substitute for Senate file No. 27, a bill for an act to pay the widow of Hon. L. O. Hatch, deceased, salary for unexpired term as judge.

Senate file No. 396, a bill for an act to appropriate money to pay individuals and counties in Iowa for making exhibit of Iowa at New Orleans.

JAMES D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent resolution relative to adjournment.

JAMES D. ROWEN,
Chief Clerk

BILLS ON SECOND READING.

On motion of Senator Garst, from the Sifting Committee, House file No. 456, a bill for an act to repeal chapter 8 of the laws of the Fifteenth General Assembly, relating to permanent survey of lands and establishing lost corners and providing a re-establishment thereof, with report of committee recommending that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Rowen presiding.

The bill was read for information.

Senator Funk moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Blanchard, Byers, Carney, Carroll, Cheshire, Ellis, Ellison, Funk, Hobart, Hotchkiss, Lothrop, Penrose, Perrin, Phelps, Ranck, Rowen, Trewin, Upton, Waterman, Young—21.

The nays were:

Senators Alexander, Berry, Bonson, Craig, Downey, Druet, Eaton, Ericson, Everall, Garst, Gilbertson, Gorrell, Healy, Henderson, Hurst, Junkin, Kilburn, Mitchell, Riggen, Sargent—20.

Absent or not voting:

Senators Bell, Carpenter, Harper, Harriman, Hipwell, Hospers, Lehfeldt, Palmer, Pusey—9.

So the bill was declared to have been lost.

On motion of Senator Garst, from the Sifting Committee, House file No. 470, a bill for an act to authorize cities acting under special charters to use parks, public squares or plats of

ground for free public library purposes, with report of committee recommending that the same do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Downey, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Hipwell, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Waterman, Young—38.

The nays were:

None.

Absent or not voting:

Senators Bell, Blanchard, Carpenter, Craig, Eaton, Harper, Henderson, Hobart, Hospers, Lehfeldt, Mitchell, Upton—12.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Sifting Committee, Senate file No. 454, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline, and to increase the powers and duties of the state inspector of oils.

Read first and second time.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Allyn, Berry, Byers, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Garst, Gorrell, Healy, Henderson, Hobart, Hotchkiss, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Sargent, Young—32.

The nays were: .

None.

Absent or not voting:

Senators Alexander, Bell, Blanchard, Bonson, Carpenter, Craig, Funk, Gilbertson, Harper, Harriman, Hipwell, Hospers, Hurst, Lehfeldt, Rowen, Trewin, Upton, Waterman—18.

So the bill passed and the title was agreed to.

Senator Berry offered the following resolution and moved its adoption:

Resolved, That the secretary of the Senate, the file clerk, the postmistress, the mail carrier, and the paper folder, be required to remain on duty until and including the 14th day of April, in order that the members of the Senate may be furnished complete files and Journals, and have their mail forwarded to them. The present per diem of said officers for said time shall be certified to by the President of the Senate.

Adopted.

On motion of Senator Garst, from Sifting Committee, House file No. 331, a bill for an act to authorize cities acting under special charter to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property, with report of committee recommending certain amendments and when so amended it do pass, was taken up, considered, and the report of the committee rejected.

Senator Bonson moved to amend section 1 by striking out the letter "s" from the word charters.

Adopted.

Senator Bonson moved to amend the publication clause as follows:

This act being deemed of immediate importance shall take effect from and after its publication in the Dubuque Daily Times and the Des Moines Leader, newspapers published respectively in Dubuque and Des Moines, in the State of Iowa.

Adopted.

Senator Bonson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Bonson, Carney, Carroll, Cheshire, Druet, Everall, Gilbertson, Gorrell, Harper, Healy, Henderson, Hipwell, Hobart, Hurst, Lothrop, Palmer, Penrose, Perrin, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—28.

The nays were:

Senators Berry, Byers, Downey, Garst, Junkin, Phelps, Pusey—7.

Absent or not voting:

Senators Blanchard, Carpenter, Craig, Eaton, Ellis, Ellison, Ericson, Funk, Harriman, Hospers, Hotchkiss, Kilburn, Lebfeldt, Mitchell, Waterman—15.

So the bill passed and its title was agreed to.

Senator Garst moved to take up House messages.
Carried.

HOUSE MESSAGES.

Substitute for Senate file No. 383, a bill for an act making repairs on and keeping in repair the State Capitol building and other improvements, was read and passed on file.

Senate file No. 27, a bill for an act to pay the widow of Hon. L. O. Hatch, deceased, the salary as judge from the date of his death to the appointment of his successor, was read and passed on file.

Senate file No. 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this State by insurance companies, associations, partnerships, individual or individuals, without their having complied with the insurance laws of the State, was read and passed on file.

Senate file No. 453, a bill for an act to provide a general levy for State purposes, was read and passed on file.

Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa for making the exhibition of Iowa at the World's Cotton Exhibition in New Orleans.

Senator Garst moved that the bill be referred to Committee on Appropriations.

Lost.

Read first and second time and referred to Sifting Committee.

REPORTS OF STANDING COMMITTEES.

Senator Allyn, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—In accordance with the resolution offered and referred to Committee on Retrenchment and Reform, beg leave to report as follows:

We find that all data and matter relative to state census has been compiled and much of the manuscript in the hands of the printer.

We further find that all padded matter, that is, matter carried from one report to another from year to year, and all data referring to newspapers, postoffices, state institutions and the vote of the last general election has been eliminated from the present census report.

We further find that the expenses of compiling said report are about \$3,800.

Respectfully submitted,

GEORGE S. ALLYN,

Chairman.

Senator Junkin, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 442, a bill for an act to repeal sections 1, 2,

and 3 of chapter 51, of the acts of the Twenty-fourth General Assembly, relative to name of, object of, and persons eligible to the Industrial Home for the blind at Knoxville, Iowa, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the same is embodied in House file No. 502, now before the Senate.

J. M. JUNKIN.

Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 194, a bill for an act to increase the support fund of the boys' department of the Iowa Industrial School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, as House file No. 194 having passed the House, and in which the Senate is asked to concur, relates to the same subject matter.

J. M. JUNKIN,

Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 223, a bill for an act to amend section 12 of chapter 80 of the laws of the Twenty-fifth General Assembly relating to the rules governing trustees in the appointment of superintendent, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,

Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to the poor of this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as set forth in this report, and when so amended that it do pass.

SETTLEMENT AND SUPPORT OF THE POOR.

That chapter 1 be amended by striking out all marginal figures opposite each line in said chapter, and all brackets and figures, words and characters contained therein at the end of each section in said chapter.

That section 9 of said chapter be amended by striking out the words "six months" in subdivision 1, line 3, and inserting "one year."

That section 11 of said chapter be amended by striking out the words "six months" in fourth and fifth lines and inserting the words "one year."

That sections 19, 20 and 21 be stricken out and the following inserted in lieu thereof:

SEC. 19. The poor must make application for relief to the trustees of the township where they may be, and, if the trustees are satisfied that the applicant is in such a state of want as requires relief at the public expense, they may afford such relief subject to the approval of the board of supervisors as the necessities of the person require, and shall report the case forthwith to the board of supervisors, who may continue or deny relief as they find cause. The board of supervisors may examine into all claims, including claims for medical attendance allowed by the township trustees for the support of the poor, and if they find the amount allowed by said trustees to be unreasonable, exorbitant or for any other cause or service other than for the necessities of life, they may reject or diminish the claim as in their judgment would be right and just, and this act shall apply to all counties in the state whether there are poor houses established in the same or not; *provided*, that this act shall apply to acts of overseers in cities as well as to township trustees.

SEC. 20. All claims and bills for the care and support of the poor shall be certified to be correct by the board of trustees and presented to the board of supervisors, and if they are satisfied that they are reasonable and proper they are to be paid out of the county treasury. In no case shall a trustee, or either of the trustees, nor overseer of the poor, draw an order upon himself, or upon either of the board, for supplies for the poor, except such trustee or overseer has a contract to furnish such supply.

SEC. 21. The board may, in its discretion, allow and pay to poor persons who may become chargeable as paupers and who are of mature years and sound mind and who will probably be benefited thereby, such sums or such annual allowance as will not exceed the charge of their maintenance in the ordinary mode.

That section 50 of chapter 2 be amended by striking out all after the word "it" in the fifth line thereof and inserting the following in lieu thereof:

"And all other letters written by, or to, the person so confined may be examined by the superintendent, and, if in his opinion the delivery of such letters would be injurious to the person so confined, he may retain the same."

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 61, a bill for an act to revise, amend and codify the laws in relation to the charitable institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as set forth in this report, and when so amended that it do pass.

AMENDMENTS TO CHAPTER 6, ORPHANS' HOME AND HOME FOR DESTITUTE CHILDREN.

That section 1 of chapter 6 be amended by erasing the word "only" in the third line and inserting the word "biennially" and striking out the

word "second" in the same line and inserting "first," and by striking out the word "July" in the same line and inserting "May," and by striking out the word "and" in the same line between the words "president" and "treasurer" and adding after the word "treasurer" in the third line the words "and secretary from their own number." And striking out in line 4 of said section the words "the resident member to be secretary."

Also by striking out all the marginal figures opposite the lines in said chapter and all figures and brackets at the end of each section thereof.

AMENDMENTS TO CHAPTER 7, INSTITUTION FOR FEEBLE-MINDED CHILDREN.

That section 1 of chapter 7 be amended by inserting after the word "times" in line 8 the following words: "And places in the state." And by striking out all marginal figures opposite the lines in said chapter; also by striking out all the figures and brackets at the end of each section of said chapter.

AMENDMENTS TO CHAPTER 8, INDUSTRIAL SCHOOL.

That section 1, chapter 8, be amended by striking out of line 3 the word "first" and inserting the word "second." And by striking out in the same line the word "May" and inserting the words "January, April, July and October." And by striking out in the same line the following words: "At which meeting." And by striking out the word "six" in line 2 of said section and inserting the word "five." And by striking out the word "annually" in the second line of said section and inserting the word "quarterly."

And by striking out all the marginal figures opposite the lines in said chapter, and all the figures and brackets at the end of each section thereof.

Also by striking out the words "majority or for such less term as he may think best" after the word "at" in the twenty-third line of section 7, and by inserting the words "twenty-one years."

Also by striking out the words "majority or for such less term as is in his judgment right and proper" in the eighth and ninth lines of section 8, and by inserting the words "twenty-one years."

By striking out the word "felony" in the first line of section 9 and inserting the word "crime" in lieu thereof.

By striking out the word "majority" in the second line of section 10 and inserting the words "twenty-one years" in lieu thereof.

By striking out the word "majority" in the sixth line of section 10 and inserting the words "twenty-one years" in lieu thereof.

By striking out the word "eight" in the second line of section 12 and inserting the word "ten" in lieu thereof.

AMENDMENTS TO CHAPTER 9, COLLEGE FOR THE BLIND.

That chapter 9 be amended by striking out all that part after the word "month" in the sixth line.

Also by striking out all the marginal figures opposite the lines in said chapter, and all brackets and all words and figures contained within said brackets at the end of each section thereof.

AMENDMENTS TO CHAPTER 10, INDUSTRIAL HOME FOR THE BLIND.

That chapter 10 be amended by striking out all the marginal figures opposite the lines, and all brackets and figures, characters and letters contained therein at the end of each section of said chapter.

AMENDMENTS TO CHAPTER 11, SCHOOL FOR THE DEAF.

That chapter 11 be amended by striking out all the marginal figures opposite each line of said chapter, and the brackets and all figures, characters and letters contained therein at the end of each section in said chapter.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873, relating to the taxing of money.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 446, a bill for an act to apply to cities of the first class the provisions of chapter 8, laws of the Twenty-second General Assembly, as amended by chapter 17 of the laws of the Twenty-second General Assembly and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-ninth General Assembly, relating to indebtedness of cities and towns.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 415, a bill for an act to legalize the ordinances and acts of the city council of the town of Clare, Iowa.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 447, a bill for an act to extend the time of the incorporation of the Oak Hill cemetery Association, of Florence township, Benton county, Iowa, and to legalize all its acts and proceedings in the election of its officers and the selling and conveying of lots.

G. S. GILBERTSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 344, a bill for an act granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 194, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Joint Resolution No. 17, a bill for an act relative to missing Codes belonging to Senators Ellis and Lothrop, and Representatives Miller and Jay, Senator Gorrell, and Representatives Potter, McNulty, Perrott, Miller of Warren, and Mr. Speaker, all missing from the Senate and House chambers thereof.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 36, a bill for an act making appropriation for the penitentiary at Ft. Madison, Iowa.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 174, a bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution and for completion of building.

G. S. GILBERTSON,
Chairman

Ordered passed on file.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 170, a bill for an act regulating fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 311, a bill for an act to amend section 2276 of the Code, as amended by chapter 70 of the laws of the Twenty-second General Assembly, authorizing guardians of insane persons to mortgage the real estate of the wards.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 187, a bill for an act to make appropriations for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Joint Resolution No. 17, relative to missing Codes. Whereas Codes belonging to Senators Ellis and Lothrop and Representatives Merrell and Jay and Senator Gorrell and Representatives Potter, McNulty, Perrott, Miller of Warren, and Mr. Speaker are missing from the Senate and House chambers, therefore,

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 314, a bill for an act making appropriations for the Iowa School for the Deaf, at Council Bluffs, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 239, a bill for an act making appropriations for the Hospital for the Insane at Mount Pleasant, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 503, a bill for an act to provide additional support for the Iowa National Guard.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 195, a bill for an act making appropriations for the Iowa Industrial School for Boys' department, at Eldora, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873, relating to the taxing of money.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 446, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-sixth General Assembly, relating to indentedness of cities and towns.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 415, a bill for an act to legalize the ordinances and acts of the city council of the town of Clare, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 447, a bill for an act to extend the time of the incorporation of the Oak Hill Cemetery Association, of Florence township, Benton county, Iowa, and to legalize all its acts and proceedings in the election of its officers and the selling and conveying of lots.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 344, a bill for an act granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 196, a bill for an act making appropriations for the State Normal school at Cedar Falls, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 176, a bill for an act making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution and for completion of buildings.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 266, a bill for an act making appropriations for the penitentiary at Fort Madison, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 238, a bill for an act making appropriations for the penitentiary, at Anamosa, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 75 a bill for an act making appropriations for the State Agricultural college.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House file No. 163, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 402, a bill for an act making appropriation for the Industrial Home for the Blind at Knoxville, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 447, a bill for an act to repeal section 1 of chapter 31 of the laws of the Twenty-second General Assembly, relating to changing names of railway stations and enacting a substitute therefor.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 135, a bill for an act to amend sections 1766 and 1767, chapter 9, title 12 of the Code of Iowa in relation to teacher's certificates.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the Senate is asked:

House file No. 515, a bill for an act to legalize ordinance No. 102 of the city of Clarinda, Page county, Iowa, granting to the Clarinda Electric Light and Power Company the right to construct, maintain, and operate electric works in the city of Clarinda.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 23, a bill for an act to establish a state board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming, and providing penalties for the violation thereof.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Substitute for Senate file No. 17, a bill for an act to repeal sections 1 and 2, chapter 85, acts of the Twenty-second General Assembly, relating to aliens inheriting.

Senate file No. 423, a bill for an act to amend chapter 58 of the laws of the Twenty-first General Assembly, relating to the powers of the board of commissioners of the Iowa Soldiers' Home.

Substitute for Senate file No. 19, a bill for an act authorizing cities of the first class to lay sidewalks in said cities.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint Resolution No. 15, relative to the pardon of James Johnson.

JAS. D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following joint resolution, in which the concurrence of the House was asked:

Joint Resolution No. 19, relative to soldiers' monument.

JAMES D. ROWEN,
Chief Clerk.

Senator Ellis filed a motion to reconsider the vote by which joint resolution No. 9 was passed.

Senate adjourned until 2 o'clock P. M. to-day.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Parrott presiding.

REPORTS OF STANDING COMMITTEES.

Senator Gilbertson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 341, a bill for an act to declare Spirit and Okoboji lakes in Dickinson county to be public navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health and for the culture of fish therein.

Also:

Senate file No. 211, a bill for an act granting additional powers to certain cities of the first class and cities acting under special charters in reference to the improvement of streets, highways, avenues or alleys and to provide for the payment of the cost thereof.

Also:

Senate file No. 140, a bill for an act to repeal sections 1, 2 and 3 of chapter 79, acts of the Twenty-first General Assembly, as amended by chapter 67, acts of the Twenty-second General Assembly, in relation to the spread of disease among swine and to enact a substitute therefor.

Also:

Senate file No. 139, a bill for an act to amend section 3844 of the Code of 1873, relative to offices, fuel and stationery for county officers.

Also:

Senate file No. 68, a bill for an act relative to trimming osage orange, willow, and all other hedge fences along the highway.

Also:

Senate file No. 22, a bill for an act to authorize the transfer of county road funds to the county fund and county bridge fund.

Also:

Senate file No. 317, a bill for an act to amend section three thousand and sixty-one (3061) of the Code, relating to the rate of interest on judgment where a stay of execution is taken.

Also:

Senate file No. 385, a bill for an act imposing a collateral inheritance tax, and providing for the collection of the same.

Also:

Senate file No. 353, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa infantry for "gray" uniforms purchased during the war.

Also:

Senate file No. 208, a bill for an act making appropriations for the Blind at Vinton, Iowa.

Also:

Senate file No. 297, a bill for an act to amend section 4091 of the Code of Iowa, relating to nuisances.

Also:

Senate file No. 235, a bill for an act to punish the crime of unlawfully breaking and entering a railroad or express car.

Also:

Senate file No. 170, a bill for an act regulating fees for the incorporation and the increase in capital stock of companies and corporations in the state of Iowa.

Also:

Senate file No. 447, a bill for an act to extend the time of the incorporation of Oak Hill Cemetery association, of Florence township, Benton county, Iowa, and to legalize all its acts and proceedings in the election of its officers, the selling and conveying of lots.

Also:

Senate file No. 450, a bill for an act to amend section 801 of the Code of 1873, relating to the taxing of money.

Also:

Senate file No. 446, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, of the laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-sixth General Assembly, relating to indebtedness of cities and towns.

Also:

Senate file No. 415, a bill for an act to legalize the ordinances and acts of the city council of the town of Clare, Iowa.

Also:

Senate file No. 362, a bill for an act to enable the trustees or commissioners to lay out, establish, vacate or change public highways through lands owned by the State on which state institutions are situated.

Also:

Senate file No. 392, a bill for an act to provide for the celebration of the semi-centennial of the admission of Iowa into the Union.

Also:

Senate file No. 424, a bill for an act legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances in 1895.

Also:

Senate file No. 430, a bill for an act to legalize the action of the board of directors of the district township of Poweshiek, in Jasper county.

Also:

Senate file No. 394, a bill for an act appropriating funds for the support of the State Fish Commission.

Also:

Senate file No. 118, a bill for an act making appropriations to purchase land for the site of the Hospital for the Insane at Cherokee.

Also:

Senate file No. 210, a bill for an act to amend chapter 25 of the acts of the Twenty-second General Assembly, relating to notice of injury.

Also:

Senate file No. 193, a bill for an act making appropriations for the Institution for Feeble Minded Children, at Glenwood, Iowa.

Also:

Senate file No. 119, a bill for an act making an appropriation to construct the Hospital for the Insane at Cherokee.

Also:

Senate file No. 240, a bill for an act making appropriations for the State Industrial School, girls' department, at Mitchellville, Iowa.

Also:

Senate file No. 156, a bill for an act making an appropriation for the Hospital for the Insane, at Independence.

Also:

Senate file No. 266, a bill for an act making appropriation for the penitentiary at Fort Madison, Iowa.

Also:

Senate file No. 344, a bill for an act granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

Also:

Senate file No 176, a bill for an act making appropriations for the better support of the State University in the several departments and chairs, and

in aid of the income fund, and for the development of the institution, and for the completion of buildings.

Also:

Senate file No. 196, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa.

Also:

Joint Resolution No. 17, relative to missing codes. Whereas, codes belonging to Senators Ellis and Lothrop, and Representatives Merrill and Jay, Senator Gorrell and Representatives Perrott, Miller of Warren, and Mr. Speaker, are missing from the Senate and House chambers, therefore.

Also:

Senate file No. 341, a bill for an act to declare Spirit and Okoboji lakes, in Dickinson county, to be public navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health, and for the culture of fish therein.

G. S. GILBERTSON,

Chairman.

REPORT OF SIFTING COMMITTEE.

Senator Garst, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred Senate and House files, respectfully beg leave to report that they have had under consideration Senate and House files as follows:

Senate files Nos. 259, 386, 361, 406, 242.

House files Nos. 412, 469, 411, 351, 277, 372.

Joint Resolution No. 16; and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Garst for Sifting Committee, House file No. 469, a bill for an act to amend section 902 of the code, limiting time for bringing action on tax deeds, with report of committee, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lothrop moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Byers, Carney, Carroll, Cheshire, Downey, Druet, Eaton, Ericson, Funk, Gorrell, Healy,

Hobart, Hotchkiss, Kilburn, Lothrop, Perrin, Rowen, Sargent—21.

The nays were:

Senators Blanchard, Ellis, Gilbertson, Harper, Hurst, Pusey, Upton, Waterman—8.

Absent or not voting:

Senators Allyn, Bonson, Carpenter, Craig, Ellison, Everall, Garst, Harriman, Henderson, Hipwell, Hospers, Junkin, Lehfeldt, Mitchell, Palmer, Penrose, Phelps, Ranck, Rigger, Trewin, Young—21.

So the bill having failed to receive a constitutional majority, was declared lost.

On motion of Senator Garst, from the Sifting Committee, House file No. 872, a bill for an act to repeal section 1, chapter 7, of the acts of the Twenty-fourth General Assembly, relating to compensation of mayors when acting as justices of the peace in cities of the second class and incorporated towns, and enacting a substitute therefor, with report of committee recommending certain amendments, and when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Blanchard moved that the vote by which amendments recommended by committee was adopted be reconsidered.

Carried.

Senator Blanchard moved that the amendment be not concurred in.

Carried.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Druet, Eaton, Ellis, Ellison, Ericson, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hobart, Hotchkiss, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Upton, Waterman, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Berry, Bonson, Carpenter, Downey, Everall, Funk, Hipwell, Hurst, Hospers, Junkin, Lehfeldt, Rigger, Trewin—14.

So the bill passed and its title was agreed to.

On motion of Senator Garst, from Sifting Committee, House file No. 411, a bill for an act to reimburse Cedar county, Iowa, for the maintenance of Stella Lupton, a soldier's orphan, at the Soldiers' Orphans' Home at Davenport, Iowa, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ellison moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gorrell, Healy, Henderson, Hobart, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Upton, Young—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Carpenter, Garst, Gilbertson, Harper, Harriman, Hipwell, Hospers, Hotchkiss, Hurst, Junkin, Lehfelddt, Rigger, Trewin, Waterman—16.

So the bill passed and the title was agreed to.

On motion of Senator Garst, from the Sifting Committee, House file No. 351, a bill for an act to reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin, soldier's orphans at the Soldiers' Orphans' Home at Davenport, Iowa, with report of committee recommending it do pass, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Lothrop moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Hobart, Hotchkiss, Junkin, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rowen, Sargent, Trewin, Young—35.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Carpenter, Craig, Downey, Henderson, Hipwell, Hospers, Hurst, Kilburn, Lohfeldt, Mitchell, Rigger, Upton, Waterman—15.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Substitute for Senate file No. 393, a bill for an act to repeal chapter 70, acts of the Twenty-fifth General Assembly, and chapter 10, title 3 of the Code, and to provide for the selecting and drawing of jurors, and providing punishment for violations thereof.

Senate file No. 256, a bill for an act to provide for the remainder of salary due N. B. Raymond as reporter of the supreme court for the year ending January 7, 1895.

Senate file No. 257, a bill for an act to aid in bringing the reports of the Iowa supreme court decisions up to date.

Senate file No. 219, a bill for an act fixing the burden of proof in a certain class of actions against telegraph companies.

Substitute for Senate files Nos. 332 and 326 and House file No. 118, a bill for an act repealing section 3106 of the Code of 1873, relating to the redemption of real estate from sales on execution, and enacting a substitute therefor.

Senate file No. 148, a bill for an act to provide for the payment of the claim of Scott county against the State of Iowa for expense incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Concurrent resolution relative to certain employes of the Twenty-sixth General Assembly.

JAS. D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

Senate file No. 256, a bill for an act to provide for the payment of the balance of salary due N. B. Raymond, as reporter for the supreme court for the year ending January 7, 1895, was read and passed on file.

Substitute for Senate files Nos. 332 and 326, and House file No. 118, a bill for an act repealing section 3106 of the Code of 1873, relating to the redemption of real estate from sales on execution and enacting a substitute therefor, was read and passed on file.

Senate file No. 148, a bill for an act to provide for the payment of the claim of Scott county against the State of Iowa for expense incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa, was read and passed on file.

Substitute for Senate file No 19, a bill for an act authorizing cities of the first class to lay sidewalks in said cities, was read and passed on file.

Senate file No. 257, a bill for an act to aid in bringing the reports of the Iowa Supreme Court decisions up to date, was read and passed on file.

Senate file No. 219, a bill for an act fixing the burden of proof in a certain class of actions against telegraph companies, was read and passed on file.

Joint Resolution No. 19, relative to the Soldiers' Monument, was read and passed on file.

Amended substitute for Senate file No. 423, a bill for an act to amend section 15, of chapter 58, of the laws of the Twenty-first General Assembly, relating to the powers of the board of commissioners of the Iowa Soldiers' Home.

Senator Carney moved that the bill be taken up for consideration now.

Carried.

Senator Waterman moved that the Senate concur in the amendments to the bill.

Senator Everall moved the previous question.

On the question, "Shall the main question be put?" the motion prevailed.

On the question, "Shall the House amendments be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Craig, Everall, Funk, Garst, Gorrell, Harper, Harriman, Hobart, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Sargent, Waterman—22.

The nays were:

Senators Byers, Carney, Carroll, Cheshire, Downey, Druet, Ellis, Ellison, Ericson, Gilbertson, Healy, Henderson, Hipwell,

Hotchkiss, Hurst, Junkin, Kilburn, Penrose, Pusey, Rigger, Rowen, Trewin, Young—23.

Absent or not voting:

Senators Carpenter, Eaton, Hospers, Lehfeldt, Upton—5.

So the amendments were not concurred in.

Amended substitute for Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title 3 of the Code, and to provide for the selecting and drawing of jurors, and to provide punishment for violation thereof.

Senator Ellis moved that the Senate concur in the House amendments to the bill.

On the question, "Shall the House amendments be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Cheshire, Craig, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harri-man, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Perrin, Phelps, Ranck, Rigger, Rowen, Trewin, Waterman, Young—39.

The nays were:

None.

Absent or not voting:

Senators Bonson, Carpenter, Downey, Eaton, Henderson, Hospers, Lehfeldt, Penrose, Pusey, Sargent, Upton—11.

So the House amendments were concurred in.

The members of the Senate presented Secretary Bullard with a very handsome mahogany chair, Senator Carroll making the presentation remarks.

In accepting the gift Secretary Bullard responded in a happy and appropriate manner.

Senator Upton presiding.

Senator Blanchard called up the concurrent resolution relative to the revision of the Code.

Senator Healy offered the following amendment:

Strike out of resolution all that follows the word "that" in the fifth line from the end of resolution.

On this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Berry, Bonson, Carney, Carroll, Everall, Healy, Hipwell, Hobart, Hotchkiss, Hurst, Kilburn, Sargent—12.

The nays were:

Senators Alexander, Allyn, Bell, Blanchard, Byers, Cheshire, Craig, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Trewin, Upton, Waterman, Young—33.

Absent or not voting:

Senators Carpenter, Downey, Eaton, Hospers, Lehfeldt—5.

So the amendment was lost.

President Parrott presiding.

On the question, "Shall the concurrent resolution pass?" the yeas were:

Senators Alexander, Allyn, Blanchard, Byers, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Henderson, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rigger, Rowen, Trewin, Upton, Waterman, Young—33.

The nays were:

Senators Bell, Berry, Bonson, Carney, Carroll, Everall, Healy, Hipwell, Hotchkiss, Hurst, Kilburn, Sargent—12.

Absent or not voting:

Senators Carpenter, Eaton, Hobart, Hospers, Lehfeldt—5.

So the resolution passed.

Senator Everall offered the following, and asked that it be printed in the Journal:

I believe the facts set forth in the preamble are in the main correct, but I am opposed to appear as instructing the Governor as to what I consider his prerogative, and for that reason I vote "no."

Senator Carney offered the following and asked that it be printed in the Journal:

As the resolution is drawn it appears to invite the calling of an extra session, and for that reason I vote "no."

J. L. CARNEY.

BILLS ON SECOND READING.

On motion of Senator Garst, from the Sifting Committee, Senate file No. 406, a bill for an act creating a board of police and fire commissioners in all cities of the first class having a population of more than 55,000, and defining the duties and powers of such board, with report of committee recommending it do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

The time of adjournment having arrived, Senator Cheshire moved to extend the time until the bill under consideration is disposed of and the Senate then goes into executive session.

Carried.

Senator Cheshire moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Blanchard, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Ericson, Funk, Garst, Gilbertson, Gorrell, Healy, Henderson, Hobart, Hotchkiss, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Rowen, Sargent, Upton, Waterman, Young—35.

The nays were:

Senators Bonson, Everall, Harper, Hipwell, Hurst, Ranck, Rikken—7.

Absent or not voting:

Senators Byers, Carpenter, Eaton, Harriman, Hospers, Lehfeldt, Mitchell, Trewin—8.

So the bill passed and the title was agreed to.

On motion of Senator Young, Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa, for making the exhibit of Iowa at the World's Exposition, in New Orleans, with report of committee recommending, was taken up, considered, and the report of the committee adopted.

Senator Young moved that the Senate concur in the House amendment to the bill.

On the question, "Shall the House amendments be concurred in?" the yeas were:

Senators Alexander, Allyn, Bell, Berry, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Ellis, Ellison, Gilbertson, Gorrell, Harper, Harriman, Healy, Hipwell, Hobart, Hurst, Junkin, Palmer, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Young—34.

The nays were:

Senators Garst and Penrose—2.

Absent or not voting:

Senators Blanchard, Carpenter, Eaton, Ericson, Everall, Fulk, Henderson, Hospers, Hotchkiss, Kilburn, Lehfeldt, Lothrop, Mitchell, Waterman—14.

So the House amendments were concurred in.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, April 10, 1896.

MR. PRESIDENT—I am instructed by the Governor to inform the honorable the Senate that he has approved, signed and caused to be deposited with the Secretary of State, bills as follows:

Senate file No. 5, an act to amend chapter 13, title 12, of the Code in relation to the State Library, and to provide for an extension of the use thereof.

Senate file No. 24, an act requiring that juvenile offenders be kept apart from older offenders.

Senate file No. 37, an act to amend section 2178 of the Code, in relation to the sale of property by carriers and others for charges.

Senate file No. 144, an act to define and punish the crime of maliciously, wilfully and feloniously disturbing or interfering with any horse, harness or vehicle, and providing punishment therefor.

Senate file No. 376, an act to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

Senate file No. 441, an act to amend an act of the Twenty-sixth General Assembly entitled "An act to prohibit the sale and use of impure oil in coal mines, and providing penalties for violation thereof."

Senate file No. 403, an act to provide for the payment of the current expense fund for the hospitals for the insane quarterly in advance.

Senate file No. 384, an act relinquishing an escheat in Hamilton county to Mrs. Winnifred J. Byrne.

Senate file No. 373, an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

Senate file No. 330, a bill authorizing counties, cities, townships and other municipal corporations to take and hold property by gift and bequest and providing for the management of the same.

Senate file No. 322, a bill for an act to amend section 4022 of the Code of 1873, relating to importation, printing, publishing, selling and distributing of obscene books and pictures.

Senate file No. 272, an act to amend section 3721 of the Code of 1873, in respect to taking depositions.

Senate file No. 204, an act to amend chapter 14 of the laws of the Twenty-fourth General Assembly, relating to funding indebtedness of cities and towns.

Senate file No. 163, an act to amend section 3908 of the Code of 1873, relating to embezzlement by public officers.

Senate file No. 57, an act to revise, amend, and codify the statutes relative to the militia.

WM. H. FLEMING,
Private Secretary.

HOUSE MESSAGES.

House file No. 515, a bill for an act to legalize ordinance No. 102 of the city of Clarinda, Page county, Iowa, granting to the Clarinda Electric Light and Power Company the right to construct, maintain, and operate electric works, in the city of Clarinda.

Joint resolution No. 15, a bill for an act relative to pardon of James Johnson, was read first and second time and referred to Committee on Sifting.

REPORT OF SIFTING COMMITTEE.

Senator Garst, from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa for making the exhibit of Iowa at the World's Exposition in New Orleans and a bill for an act to amend section 801 of the Code of 1873 relating to the assessment of taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

At 5:15 o'clock P. M. the Senate went into executive session.

Senate arose from executive session at 5:20 P. M.

Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Saturday, April 11, 1896. }

Senate met in regular session at 9 o'clock A. M., President Parrott presiding.

Prayer was offered by Rev. W. M. Grafton, Des Moines.

INTRODUCTION OF BILLS.

By Sifting Committee, Senate file No. 455, a bill for an act to amend section 12, chapter 80, of acts of the Twenty-fifth General Assembly, relating to the rules governing trustees in the appointment of superintendents.

Read first and second time.

Senator Garst moved that the bill be considered now.

Senator Garst moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Blanchard, Bonson, Byers, Cheshire, Ericson, Funk, Gilbertson, Harper, Healy, Henderson, Hipwell, Hotchkiss, Hurst, Kilburn, Lothrop, Perrin, Phelps, Pusey, Rowen, Sargent, Young—22.

The nays were:

Senators Bell, Berry, Carroll, Druet, Ellis, Ellison, Everall Garst, Harriman, Hobart, Palmer, Ranck, Rigger, Upton—14.

Absent or not voting:

Senators Allyn, Carney, Carpenter, Craig, Downey, Eaton, Gorrell, Hospers, Junkin, Lehfeldt, Mitchell, Penrose, Trewin, Waterman—14.

So the bill having failed to receive a constitutional majority was declared lost.

REPORT OF SIFTING COMMITTEE.

Senator Garst, from the Committee on Sifting, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting, to whom was referred House file No. 412, a bill for an act to legalize the acts of the board of

directors of the Independent School District of Eagle, Jefferson county, Iowa, and of the board of directors of the Independent School District of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, and Senate file No. 361, a bill for an act to amend section 2 of chapter 11 of the acts of the Twenty-second General Assembly, and to give additional power to cities and towns.

WARREN GARST,
Chairman.

BILLS ON SECOND READING.

On motion of Senator Garst from Sifting Committee, House file No. 412, a bill for an act to legalize the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and of the board of directors of the independent school district of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, with report of committee recommending that it do pass was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bell moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Harper, Harriman, Healy, Henderson, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Phelps, Ranck, Rowen, Sargent, Young—33.

The nays were:

None. ●

Absent or not voting:

Senators Alexander, Allyn, Carney, Everall, Gilbertson, Gorrell, Hipwell, Hobart, Hospers, Hotchkiss, Kilburn, Lehfeldt, Mitchell, Pusey, Rigger, Trewin, Upton—17.

So the bill passed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following bills, in which the concurrence of the House was asked:

Senate file No. 314, a bill for an act to appropriate money to pay the expenses of the Iowa Shiloh battlefield commission, etc.

Senate file No. 449, a bill for an act to repeal section 4, chapter 15, of the acts of the Twentieth General Assembly, relating to taxes for park purposes.

Senate file No. 123, a bill for an act to reimburse John L. Brown, as Auditor of State, for the years 1885 and 1886, in payment of his official contest.

Senate file No. 454, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline, and to increase the powers and duties of the State Inspector of Oils.

JAMES D. ROWEN,
Chief Clerk.

Senator Cheshire presiding.

Senator Carney offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Resolved, That the medallions which it has been ordered by this general assembly shall not be placed on the soldiers' monument shall be taken in charge under direction of the Secretary of State, and shall be given a fitting and appropriate place in the Memorial and Art building, when completed.

Adopted.

Senator Garst moved to take up House messages.

Carried.

HOUSE MESSAGES.

Substitute for Senate file No. 23, a bill for an act to establish a state board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases and to regulate the practice of embalming, was read and passed on file.

Senate file No. 314, a bill for an act to appropriate money to pay expenses of the Iowa Battlefield Commission, was read and passed on file.

Senate file No. 449, a bill for an act to repeal section 4 of chapter 151 of the acts of the Twentieth General Assembly, relative to taxes for park purposes, was read and passed on file.

Senator Young filed the following motion:

I move to reconsider the vote by which the Senate refused to concur in the House amendments to substitute for Senate file No. 423.

Carried.

Senator Carney moved to reconsider the vote by which the motion filed by Senator Young was adopted.

On this the yeas and nays were demanded and the motion to reconsider was lost.

On the question, "Shall the motion be reconsidered?" the yeas were:

Senators Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Druet, Gilbertson, Harriman, Healy, Henderson, Hotchkiss, Hurst, Kilburn, Palmer, Ranck, Trewin, Upton, Young—19.

The nays were:

Senators Allyn, Bell, Blanchard, Craig, Eaton, Ellis, Ericson, Everall, Funk, Garst, Harper, Hipwell, Lothrop, Palmer, Perrin, Phelps, Rowen, Sargent, Waterman—19.

Absent or not voting:

Senators Aliyn, Downey, Ellison, Gorrell, Hobart, Hospers, Junkin, Lehfeldt, Mitchell, Penrose, Pusey, Rigger—12.

So the motion to reconsider was lost.

Concurrent resolution relative to adjournment was read and passed on file.

Concurrent resolution relative to certain employes of the Twenty-sixth General Assembly was taken up.

Senator Berry offered the following substitute and moved its adoption:

I offer the following as a substitute for House concurrent resolution, relative to certain employes of the Twenty-sixth General Assembly:

Resolved, by the Senate, the House concurring, That the chief clerk of the House, the secretary of the Senate, the file clerk of the House, the file clerk of the Senate, the postmistress, the mail carrier and the paper folders of the House and Senate be required to remain on duty until and including the 14th day of April, 1896, in order that the members of the Senate and House may be furnished complete files and journals and have their mail forwarded to them; the present per diem of said officers for said time shall be certified to by the Speaker of the House and the President of the Senate respectively.

Adopted.

Senate report on pardon of George H. Trout was read and passed on file.

Senate file No. 133, a bill for an act to repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways, and to enact a substitute therefor, was read and passed on file.

Substitute for Senate file No. 17, a bill for an act to repeal sections 1 and 2 of chapter 85 of the acts of the Twenty-second General Assembly, as amended by chapter 82 of the acts of the Twenty fifth General Assembly, relative to the rights of aliens, was read and passed on file.

Senate file No. 454, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline, and to increase the power and duties of the State Inspector of Oils, was read and passed on file.

House memorial for relief and indemnity of certain citizens of the State of Iowa read first and second time and referred to Sifting Committee.

REPORT OF STANDING COMMITTEE.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of James Johnson, a life convict confined in the penitentiary at Ft. Madison for murder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the pardon be granted.

J. E. ROWEN,
Chairman.

Ordered passed on file.

President Parrott presiding.

The Senate took up the reconsideration of concurrence in House amendments to substitute for Senate file No. 423.

Senator Waterman moved the previous question.

On the question, "Shall the main question be put," the motion prevailed.

On the question, "Shall the Senate concur in the House amendments to the bill?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Craig, Eaton, Everall, Funk, Garst, Harper, Harriman, Hobart, Lothrop, Palmer, Perrin, Phelps, Ranck, Sargent, Waterman—19.

The nays were:

Senators Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Druet, Ellis, Ericson, Healy, Henderson, Hotchkiss, Jinkin, Kilburn, Penrose, Pusey, Rigger, Rowen, Young—19.

Absent or not voting:

Senators Allyn, Downey, Ellison, Gilbertson, Gorrell, Hipwell, Hospers, Hurst, Lehfeldt, Mitchell, Trewin, Upton—12.

So the motion to concur was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 496, a bill for an act to apportion the State into representative districts and declare the ratio of representation.

JAMES D. ROWEN,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Harper, Senate file No. 456, a bill for an act to amend chapter 1, acts of the Twenty-fourth General Assembly, relating to boards of park commissioners.

Read first and second time.

Senator Harper moved that the bill be taken up for consideration now.

Carried.

Senator Harper moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Gilbertson, Harper, Healy, Henderson, Hotchkiss, Hurst, Junkin, Palmer, Penrose, Perrin, Phelps, Ranck, Rigger, Rowen, Sargent, Trewin—30.

Senator Lothrop voted in the negative.

Absent or not voting:

Senators Allyn, Bell, Byers, Carney, Craig, Everall, Garst, Gorrell, Harriman, Hipwell, Hobart, Hospers, Kilburn, Lehfeldt, Mitchell, Pusey, Upton, Waterman, Young—19.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following bills in which the concurrence of the House was asked:

Senate file No. 69, a bill for an act to amend section 1078, Code of 1873.

Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873, as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to salaries of certain officers.

JAMES D. ROWEN,
Chief Clerk.

Senator Funk moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 496, a bill for an act to apportion the State into representative districts and declare the ratio of representation, was read first and second time

Senator Funk moved that the bill be taken up for consideration now.

Carried.

The bill was read for information.

Senator Funk moved that the rule be suspended and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Byers, Carney, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Gilbertson, Harper, Healy, Hipwell, Hotchkiss, Hurst, Junkin, Lothrop, Palmer, Penrose, Perrin, Pusey, Ranck, Rowen, Sargent, Trewin—29.

The nays were:

Senators Henderson and Phelps—2.

Absent or not voting:

Senators Allyn, Berry, Blanchard, Bonson, Carpenter, Carroll, Cheshire, Garst, Gorrell, Harriman, Hobart, Hospers, Kilburn, Lehfeldt, Mitchell, Rigger, Upton, Waterman, Young—19.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Relative to an extra session.

JAMES D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 356, a bill for an act to amend section 2410 of the Code, relating to the statutory denial of claims filed against estates of decedents.

JAMES D. ROWEN,
Chief Clerk

HOUSE MESSAGES.

Concurrent resolution relative to an extra session was read and passed on file.

Senate file No. 356, a bill for an act to amend section 2410 of the Code, relating to the statutory denial of claims filed against estates of decedents, was read and passed on file.

Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code as

amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to salaries of certain officers, was read and passed on file.

Senate file No. 69, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security, was read and passed on file.

Senator Perrin offered the following resolution, and asked its adoption:

Resolved, That the Senate desires to express thanks to all the officers of the Senate at this session of the Legislature for their efficiency, courtesy and attention to duty; and that those officers having badges be permitted to retain them.

Adopted.

BILLS ON SECOND READING.

On motion of Senator Garst from the Sifting Committee, House file No. 515, a bill for an act to legalize ordinance No. 102 of Clarinda, Page county, Iowa, granting to the Clarinda Electric Light & Power Company the right to construct, maintain and operate electric works in the city of Clarinda, read first and second time.

Report of committee recommending its passage was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended and that the reading just had be the third, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Berry, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Healy, Henderson, Hipwell, Hobart, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Sargent, Trewin—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bell, Blanchard, Gorrell, Harper, Harriman, Hospers, Lehfeldt, Mitchell, Palmer, Rowen, Upton, Waterman, Young—14.

So the bill passed and the title was agreed to.

On motion of Senator Garst, from the Sifting Committee, House file No. 277, a bill for an act to compensate H. H. Jelly for injuries received while in the employ of the State, with

report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that further consideration of the bill be postponed until after the appropriation bill be disposed of.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 406, a bill for an act creating a board of police and fire commissioners in all cities of the first class having a population of more than 55,000, and defining the duties and powers of such board.

JAMES D. ROWEN,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 456, a bill for an act to amend chapter 1, acts of the Twenty-fourth General Assembly, relating to boards of park commissioners.

JAS. D. ROWEN,
Chief Clerk.

INTRODUCTION OF BILLS.

By Appropriation Committee, Senate file No. 457, a bill for an act making appropriation for the payment of State and judicial officers, State expenses and other bills.

Read first and second time.

Senator Waterman moved that the bill be taken up for consideration now.

Carried.

The bill was read for information.

Senator Waterman moved that the rule be suspended and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carroll, Cheshire, Craig, Downey, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Palmer, Penrose, Perrin, Phelps, Pusey, Ranck, Rikken, Rowen, Sargent, Trewin, Upton, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Allyn, Carpenter, Druet, Hobart, Hospers, Lehfeldt, Mitchell, Young—8.

So the bill passed and the title was agreed to.

Senator Funk presiding.

REPORT OF STANDING COMMITTEE.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 457, a bill for an act making appropriations for the payment of State and judicial officers, State expenses and other bills, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senate resumed consideration of House file No. 277.

Senator Junkin moved that the rule be suspended, and that the bill be considered and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Blanchard, Byers, Carney, Carpenter, Craig, Downey, Druet, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gorrell, Harper, Harriman, Henderson, Hipwell, Hotchkiss, Hurst, Junkin, Kilburn, Lothrop, Mitchell, Palmer, Penrose, Phelps, Pusey, Ranck, Rigger, Rowen, Sargent, Trewin, Upton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Allyn, Berry, Bonson, Carroll, Cheshire, Eaton, Gilbertson, Healy, Hobart, Hospers, Lehfeldt, Perrin, Waterman—13.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

Senator Waterman, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate files Nos. 294, 358, and 452, and House file No. 218, and substitute for House file No. 217, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that each one thereof be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Garst moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senate file No. 406, a bill for an act creating a board of police and fire commissioners in all cities of the first class having a population of more than 55,000, and defining the duties and powers of such board, was read and passed on file.

Senate file No. 456, a bill for an act to amend chapter 1, acts of the Twenty-fourth General Assembly, relating to boards of park commissioners, was read and passed on file.

Senator Ellis was permitted to withdraw motion to reconsider vote by which House Joint resolution No. 9 was passed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 177, a bill for an act governing of plumbing and plumbers in all cities and towns having water supply and sewerage.

Senate file No. 428, a bill for an act fixing the number of Senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

JAMES D. ROWEN,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following resolution, in which the concurrence of the House was asked:

Joint resolution No. 16, relating to furnishing Code to Senator John Downey.

JAS. D. ROWEN,
Chief Clerk.

On motion of Senator Garst, from the Sifting Committee, to whom was referred Senate file No. 386, a bill for an act authorizing the appointment of a commission to co-operate with the Vicksburg National Park commission in ascertaining and marking the positions occupied by the several regiments and batteries of Iowa troops engaged in the battle and siege of Vicksburg.

Senator Palmer moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Alexander, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Gorrell, Henderson, Hotchkiss, Junkin, Lothrop, Mitchell, Palmer, Penrose, Perrin, Phelps, Rigger, Rowen, Sargent, Trewin, Young—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Carroll, Cheshire, Craig, Everall, Gilbertson, Harper, Harriman, Healy, Hipwell, Hobart, Hospers, Hurst, Kilburn, Lehfeldt, Pusey, Ranck, Upton, Waterman—19.

So the bill passed and the title was agreed to.

Senator Garst moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senate file No. 423, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the State into senatorial districts, was read and passed on file.

Substitute for Senate file No. 177, a bill for an act relative to the governing of plumbing and plumbers in all cities and towns having water supply and sewerage, was read and passed on file.

Joint resolution No. 18, relative to furnishing Code to Senator John Downey, was read and passed on file.

President Parrott presiding.

On motion of Senator Garst, from Sifting Committee, House file No. 270, a bill for an act to amend section 801 of the code of 1873, relating to the assessment of taxes, with report of committee recommending that it do pass, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Berry moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Cheshire, Druet, Eaton, Ellis, Ellison, Ericson, Funk, Garst, Harper, Henderson, Hotchkiss, Hurst, Junkin, Mitchell, Palmer, Perrin, Phelps, Rigger, Rowen, Sargent, Trewin, Upton, Young—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Craig, Downey, Everall, Gilbertson, Gorrell, Harriman, Healy, Hipwell, Hobart, Hospers, Kilburn, Lehfelddt, Lothrop, Penrose, Pusey, Ranck, Waterman—19.

So the bill passed and its title was agreed to.

On motion of Senator Garst from Sifting Committee, Senate file No. 259, a bill for an act to repeal sections 1 and 5, of chapter 157, of the laws of the Twenty-first General Assembly of the State of Iowa and to enact a substitute therefor, with report of committee recommending the same do pass, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ellis moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:

Senators Berry, Blanchard, Bonson, Byers, Carney, Carroll, Craig, Downey, Druet, Eaton, Ellis, Ellison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harper, Harriman, Healy, Henderson, Hipwell, Hotchkiss, Junkin, Kilburn, Mitchell, Palmer, Perrin, Pusey, Rigger, Sargent, Trewin, Upton, Waterman, Young—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bell, Carpenter, Cheshire, Hobart, Hospers, Hurst, Lehfelddt, Lothrop, Penrose, Phelps, Ranck, Rowen—14.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following bills, in which the concurrence of the House was asked:

Senate file No. 290, a bill for an act to amend section 3179 as amended by the Twenty-second General Assembly, chapter 35, relating to transcripts on appeal.

Senate file No. 457, a bill for an act making appropriation for the payment of State and judicial officers, State expenses and other bills.

Senate file No. 448, a bill for an act to legalize the organization of the Hawarden Driving Park and Fair Association of Hawarden, Iowa.

JAS. D. ROWEN,
Chief Clerk.

Senator Garst moved to take up House messages.

HOUSE MESSAGES.

Senate file No. 290, a bill to amend section 3179 of the Code of 1873, relating to transcripts on appeal to the supreme court, was read and passed on file.

Senate file No. 448, a bill for an act to legalize the organization of the Hawarden Driving Park and Fair association of Hawarden, Iowa, was read and passed on file.

Senate file No. 457, a bill for an act making appropriation for the payment of State and judiciary officers, State expenses and other bills, was read and passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

Senate file No. 453, a bill for an act to provide for a general levy for State purposes.

Also:

Senate file No. 27, a bill for an act to pay the widow of Hon. L. O. Hatch, late judge of the Thirteenth judicial district of Iowa, the salary of the office from the date of his death to the time his successor was appointed and qualified.

Also:

Senate file No. 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this State by insurance companies, associations, partnerships, individual or individuals, without their having complied with the insurance laws of this State.

Also:

Senate file No. 148, a bill for an act to provide for the payment of the claim of Scott county against the State of Iowa for expenses incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa.

Also:

Senate file No. 256, a bill for an act to provide for the payment of the balance of salary due N. B. Raymond as reporter of the supreme court for the year ending January 7, 1895.

Also:

Senate file No. 19, a bill for an act authorizing cities of the first class to lay sidewalks in said cities.

Also:

Senate file No. 332, a bill for an act to amend section 3106 of the Code of 1873, relating to redemption from execution sales of real estate.

Also:

Joint resolution No. 19, relative to the soldiers' monument.

Also:

Senate file No. 219, a bill for an act fixing the burden of proof in a certain class of actions against telegraph companies.

Also:

Senate file No. 257, a bill for an act to aid in bringing the Iowa reports of the Iowa Supreme Court decisions up to date and providing compensation therefor.

Also:

Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa for making the exhibit at the World's Exposition in New Orleans.

Also:

Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed and elections held to bond the city of Pella, Marion county, Iowa, to erect water works within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square" in said city for that purpose.

Also:

Senate file No. 383, a bill for an act making repairs on and keeping in repair the State Capitol Building, and other improvements.

Also:

Senate file No. 145, a bill for an act to provide for the taxation of express companies.

Also:

Senate file No. 451, a bill for an act authorizing the executive council to purchase or condemn a site on which to erect a Memorial, Historical and Art building, to procure plans and specifications therefor, and take other preliminary steps toward its construction, and making an appropriation therefor.

G. S. GILBERTSON,

Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, joint resolution relative to soldiers' monument.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No 276, a bill for an act to prevent the issuing of policies of fire insurance upon risks situated in this State by insurance companies, associations, partnerships, individual or individuals, without their having complied with the insurance laws of this State.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 453, a bill for an act to provide for a general levy for State purposes.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 27, a bill for an act to pay to the widow of Hon. L. O. Hatch, late district judge of the Thirteenth Judicial district of Iowa, deceased, the salary of his unexpired term as such judge.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No.

219, a bill for an act fixing the burden of proof in a certain class of actions against telegraph companies.

G. S. GILBERTSON,
Chairman Senate Committee
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 332, a bill for an act to amend section 3106 of the Code of 1873, relating to redemption from execution sales of real estate.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa, for making the exhibit of Iowa at the World's Exposition in New Orleans.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 256, a bill for an act to provide for the payment of the balance of salary due N. B. Raymond as reporter of the supreme court for the year ending January 7, 1895.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 19, a bill for an act authorizing cities of the first class to lay side-walks in said cities.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 148, a bill for an act to provide for the payment of the claim of Scott county against the State of Iowa for expenses incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 257, a bill for an act to aid in bringing the Iowa reports of the Iowa supreme court decisions up to date, and providing compensation therefor.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 33, a bill for an act to amend chapter 132 of the acts of the Twentieth General Assembly.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Joint Resolution No. 9, a Joint Resolution for amendment to the constitution of the State of Iowa proposing the repeal of sections 34, 35 and 36 of article three (3) of the Constitution, and the substitute hereinafter proposed be adopted in lieu thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file

No. 572, a bill for an act to legalize the election at Ames, Iowa, of city officers and the election for the issuance of bonds for sundry purposes.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 102, a bill for an act to reimburse John L. Brown, as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 491, a bill for an act to legalize the incorporation of the town of Jolley, Calhoun county, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 478, a bill for an act to legalize the purchase of ground by the Independent District No. 9, of West Lafayette township, Keokuk county, Iowa.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 287, a bill for an act making an appropriation for the hospital for the insane at Clarinda, Iowa.

G. S. GILBERTSON,

Chairman Senate Committee.

W. E. HAUGER,

Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Joint resolution No. 8, relative to the granting of the pardon of A. F. Hockett.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 317, a bill for an act to pay the expenses of procuring badges for certain employes of the Twenty-sixth General Assembly.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 411, a bill for an act to reimburse Cedar county, Iowa, for the maintenance of Stella Lupton, a soldier's orphan, at the Soldiers' Orphans' Home at Davenport, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 420, a bill for an act to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled "An act empowering cities under special charters to establish boards of health."

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No.

351, a bill for an act to reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin, soldier's orphans, at the Soldiers' Orphans' Home at Davenport, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 464, a bill for an act to amend section 2077 of the Code of Iowa, relating to railroads and other common carriers.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 480, a bill for an act to repeal sections 1, and 2, chapter 20, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, changing the term of office of sub-directors from three years to one year.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House file No. 302, a bill for an act making appropriations for the support of the Soldiers' Home at Marshalltown, Iowa, for the construction of certain buildings, making improvements, and providing a contingent fund therefor.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 298, a bill for an act declaring express companies, operating and doing business in this State, common carriers, and providing for their regulation and control by the Railroad Commissioners.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 332, a bill for an act to amend section 989 of the Code relative to the drainage of surface water from the highways.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 383, a bill for an act making repairs on and keeping in repair the State capitol building, and other improvements.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 145, a bill for an act to define express companies, to prescribe the mode of taxing the same and to fix the rate of taxation thereon.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 451, a bill for an act authorizing the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building, to procure plans and specifications therefor, and take other preliminary steps toward its construction, and making an appropriation therefor.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed and elections held to bond the city of Pella, Marion county, Iowa, to erect

waterworks within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square" in said city for that purpose.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

Senate file No. 256, a bill for an act to provide for the payment of the balance of salary due N. B. Raymond as reporter of the supreme court for the year ending January 7, 1895.

Also:

Senate file No. 19, a bill for an act authorizing cities of the first class to lay sidewalks in such cities.

Also:

Senate file No. 148, a bill for an act to provide for the payment of the claims of Scott county against the State for expenses incurred in the care, restraint and transportation of insane persons not having a known residence in Iowa.

Also:

Senate file No. 257, a bill for an act to aid in bringing the reports of the Iowa supreme court decisions up to date.

Also:

Senate file No. 396, a bill for an act to appropriate money to pay the claims of individuals and counties in Iowa, for making the exhibit of Iowa at the World's Exposition at New Orleans.

Also:

Senate file No. 400, a bill for an act to legalize the resolutions and ordinances passed, and elections held to bond the city of Pella, Marion county, Iowa, to erect waterworks within said city, and to legalize the occupancy of block 36, the same which is known and platted as "West Market Square," in said city for that purpose.

Also:

Senate file No. 451, a bill for an act to authorize the executive council to purchase a site on which to erect a memorial, historical and art building, to procure plans and specifications therefor, and to take other preliminary steps toward its construction, and making appropriation therefor.

Also:

Senate file No. 145, a bill for an act to provide for the taxation of express companies.

Also:

Senate file No 383, a bill for an act making repairs on and keeping in repair the State Capitol building, and other improvements.

Also:

Senate file No. 276, a bill for an act to prevent the issuing of fire insurance upon risks situated in the State by insurance companies, associations, partnerships or individuals, without their having complied with the insurance laws of the State.

Also:

Senate file No. 453, a bill for an act to provide for equal levy for State purposes.

Also:

Senate file No. 27, a bill for an act to pay the widow of Hon. L. O. Hatch, deceased, his salary for his unexpired term as judge.

Also:

Senate file No. 219, a bill for an act fixing the burden of proof in a certain class of actions against telegraph companies.

Also:

Senate file No. 332, a bill for an act to amend section 1873, relating to redemption from execution sales of real estate.

Also:

Joint Resolution No. 19, relative to Soldiers' Monument.

G. S. GILBERTSON,
Chairman.

The Journal of Friday was taken up, read, corrected and approved.

Senator Garst moved that the Senate take a recess of fifteen minutes.

Carried.

Senate called to order by President Parrott.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has postponed indefinitely the following bills in which the concurrence of the House was asked:

Senate file No. 423.

Senate file No. 259.

Senate file No. 201.

Senate file No. 386.

Senate file No. 16.

JAS. D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

Senate concurrent resolution relative to soldiers' monument was read and passed on file.

Concurrent resolution relative to certain employes of the Twenty-sixth General Assembly was read and passed on file.

Senate file No. 16 was read and passed on file.

Senate file No. 386 was read and passed on file.

Senate file No. 201 was read and passed on file.

Senate file No. 259 was read and passed on file.

Senate file No. 423 was read and passed on file.

Senator Craig moved that the President appoint a Conference Committee on part of Senate on Senate file No. 423.

Carried.

The President appointed the following as such committee: Senators Craig, Sargent, Hotchkiss, Druet.

Senator Waterman offered the following concurrent resolution.

Resolved by the Senate, the House concurring, That a committee of two be appointed, with a like committee on the part of the House, to inform the Governor that the General Assembly is now ready to adjourn without date, and ascertain if he has any communications to make to the General Assembly before adjournment.

Adopted.

Senators Waterman and Everall were appointed such committee.

Senator Trewin offered the following resolution:

Be it resolved by the Senate, That the chairmen of the several committees and the clerks thereof, and the officers of the Senate are hereby commanded to deliver over to the Secretary of State all bills, records and documents of the Senate, to be preserved for use at the special session.

Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 481, a bill for an act to provide for a proper recognition of the battleship "Iowa."

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 331, a bill for an act authorizing cities acting under special charters to provide for the sprinkling of streets and to levy and collect the cost thereof from the abutting property.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 281, a bill for an act to exempt crematoriums from taxation.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House files Nos. 470, 372, 501 and 496.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House files Nos. 495, 277, 483.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House files Nos. 515, 270, 482, 408, 496.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title 3 of the Code, and to provide for the selecting and drawing of jurors, and providing punishment for violation thereof.

Also:

Senate file No. 448, a bill for an act to legalize the incorporation of the Hawarden Driving Park and Fair association of Hawarden, Iowa.

Also:

Senate file No. 457, a bill for an act making appropriations for the payment of State and judicial officers, State expenses and other bills.

Also:

Senate file No. 454, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline, and to increase the powers and duties of the State Inspector of Oils.

Also:

Senate file No. 273, a bill for an act to amend section 4752, of the Code of 1873, and to amend section 4783 of the Code of 1873 as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to the salaries of certain officers.

Also:

Senate file No. 133, a bill for an act to repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways, and to enact a substitute therefor.

Also:

Senate file No. 449, a bill for an act to repeal section 4 of chapter 157 of the acts of the Twentieth General Assembly relative to taxes for park purposes.

Also:

Senate file No. 177, a bill for an act empowering cities and towns having water supply and public sewers to regulate plumbing connecting with said sewers.

Also:

Senate file No. 290, a bill for an act to amend section 3179, as amended by the Twenty-second General Assembly, chapter 35, relating to transcripts on appeal to the supreme court.

Also:

Senate file No. 456, a bill for an act amendatory of chapter 1, of the acts of the Twenty-fourth General Assembly, relating to boards of park commissioners.

Also:

Senate file No. 314, a bill for an act appropriating money to pay the expenses of the Iowa Shiloh Battlefield Commission appointed by the Governor of the State to locate and mark the positions held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of the duties as such, and to reimburse them for moneys expended in performing said duties.

Also:

Senate file No. 428, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

Also:

Senate file No. 356, a bill for an act amending section 2410 of the Code, relating to the statutory denial of the claims filed against estates of decedents.

Also:

Senate file No. 69, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security.

Also:

Senate file No. 17, a bill for an act to repeal sections 1 and 2 of chapter 85 of the acts of the Twenty-second General Assembly, as amended by chapter 82 of the acts of the Twenty-fifth General Assembly, relating to aliens, and to enact the following in lieu thereof.

Also:

Joint resolution No. 18, relating to lost Codes.

G. S. GILBERTSON,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Gilbertson, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title 3, of the Code, and to provide for the selecting and drawing of jurors, and providing punishment for violation thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 448, a bill for an act to legalize the incorporation of the Hawarden Driving Park and Fair Association, of Hawarden, Iowa.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 457, a bill for an act making appropriations for the payment of State and judicial officers, State expenses and other bills.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 454, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline, and to increase the powers and duties of the State Inspector of Oils.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 273, a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873, as amended by Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to the salaries of certain officers.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No.

133, a bill for an act to repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways and to enact a substitute therefor.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 449, a bill for an act to repeal section 4 of chapter 151 of the acts of the Twentieth General Assembly relative to taxes for park purposes.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 177, a bill for an act empowering cities and towns having water supply and public sewers to regulate plumbing connecting with said sewers.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 290, a bill for an act to amend section 3179, as amended by the Twenty-second General Assembly, chapter 35, relating to transcripts on appeal to the supreme court.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 456, a bill for an act amendatory of chapter 1 of the acts of the Twenty-fourth General Assembly relating to boards of park commissioners.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 314, a bill for an act appropriating money to pay the expenses of the Iowa Shiloh Battlefield Commission, appointed by the Governor of the State to locate and mark the positions held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of the duties as such, and to reimburse them for moneys expended in performing said duties.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Joint Resolution No. 18, relating to lost Codes.

G. S. GILBERTSON,
Chairman Senate Committee
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 69, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 17, a bill for an act to repeal sections 1 and 2 of chapter 85 of the acts of the Twenty-second General Assembly as amended by chapter 82 of the acts of the Twenty-fifth General Assembly, relating to the rights of aliens, and to enact the following in lieu thereof.

G. S. GILBERTSON,
Chairman Senate Committee.
W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No.

350, a bill for an act amending section 2410 of the Code, relating to the statutory denial of the claims filed against estates of decedents.

G. S. GILBERTSON,
Chairman House Committee.

W. E. HAUGER,
Chairman Senate Committee

Ordered passed on file,

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 428, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

G. S. GILBERTSON,
Chairman Senate Committee.

W. E. HAUGER,
Chairman House Committee.

Ordered passed on file.

Senator Gilbertson, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 457, a bill for an act making appropriations for the payment of State and judicial officers, State expenses and other bills.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 393, a bill for an act to repeal chapter 70 of the acts of the Twenty-fifth General Assembly and chapter 10, title 3, of the code, and to provide for the selecting and drawing of jurors and providing punishment for violation thereof.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 448, a bill for an act to legalize the incorporation of the Hawarden Driving Park and Fair Association, of Hawarden, Iowa.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 454, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine and gasoline, and to increase the powers and duties of the State Inspector of Oils.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 273 a bill for an act to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873 as amended by the Sixteenth, Seventeenth and Eighteenth General Assemblies, relating to the salaries of certain officers.

G. S. GILBERTSON,

Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 133, a bill for an act to repeal section 963 of the Code of 1873, relating to costs of appeal in establishing highways, and to enact a substitute therefor.

G. S. GILBERTSON,

Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 177, a bill for an act empowering cities and towns having water supply and public sewers to regulate plumbing connecting with said sewers.

G. S. GILBERTSON,

Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled bills respectfully report that they have examined and find correctly enrolled, Senate file No. 449, a bill for an act to repeal section 4 of chapter 151 of the acts of the Twentieth General Assembly, relative to taxes for park purposes.

G. S. GILBERTSON,

Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 314, a bill for an act appropriating money to pay the expenses of the Iowa Shiloh Battlefield Commission, appointed by the Governor of the State to locate and mark the positions held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of the duties as such, and to reimburse them for moneys expended in performing said duties.

G. S. GILBERTSON,

Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 436, a bill for an act amendatory of chapter 1 of the acts of the Twenty-fourth General Assembly, relating to boards of park commissioners.

G. S. GILBERTSON,

Chairman.

Also:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 290, a bill for an act to amend section 3179 as amended by the Twenty-second General Assembly, chapter 35, relating to transcripts on appeal to the supreme court.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 69, a bill for an act to amend section 1078 of the Code of 1873, providing for the transfer of corporate stock when used as collateral security.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Joint Resolution No. 18 relating to lost Codes.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 17, a bill for an act to repeal sections 1 and 2 of chapter 85 of the acts of the Twenty-second General Assembly as amended by chapter 82 of the acts of the Twenty-fifth General Assembly, relating to the rights of aliens, and to enact the following in lieu thereof.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 428, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

G. S. GILBERTSON,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate file No. 356, a bill for an act amending section 2410 of the Code, relating to the statutory denial of the claims filed against estates of decedents.

G. S. GILBERTSON,
Chairman.

The Journal of to-day was taken up for reading.

Senator Funk moved that further reading of the Journal be dispensed with, and that the Secretary be instructed to see that it is in proper order.

Carried.

The Conference Committee reported that the House has receded from the amendment to Senate file No. 423.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in regard to the appointment of a committee, relative to adjournment.

JAMES D. ROWEN,
Chief Clerk.

HOUSE MESSAGES.

Concurrent resolution relative to adjournment was read and passed on file.

Senator Funk moved that the Senate take a recess for ten minutes.

Carried.

The committee appointed to notify the Governor that the Senate was ready to adjourn, submitted the following report:

MR. PRESIDENT—Your committee appointed to notify his excellency, the Governor, that the Senate is about to adjourn *sine die*, has performed that duty and reports that the Governor has no further communication or message to the Senate.

H. L. WATERMAN.
JOHN EVERALL.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to adopt its report of Conference Committee on Committee on Inquiry for Senate file No. 423.

JAMES D. ROWEN,
Chief Clerk.

Senator Funk moved that a committee be appointed to notify the House that the Senate is ready to adjourn.

Carried.

President appointed as such committee, Senators Funk and Henderson.

The committee retired.

The committee reported duty performed.

Lieutenant-Governor Parrott made the following closing remarks, which on motion of Senator Penrose, were ordered printed in the Journal.

The time has arrived when it becomes my duty to make the formal announcement of the adjournment as provided in your resolution. Before doing so, I wish briefly to express a commendation of the excellent work performed during the session. There may be a feeling of disappointment that all hoped for at the commencement of the session has not been accomplished, but this is inevitable. The value of your work cannot be measured by the number of bills passed. It is in the committee room where the best work is done, and this does not appear on the surface, nor do the public in general realize this. It is my judgment, after a somewhat extended experience, that never has there been more faithful and earnest work performed by the committees. Your labors have been incessant, and I believe in time that the people will endorse with the seal of approval the meritorious work you have performed.

I wish, also, to return my earnest and sincere thanks to each and every Senator for the co-operation extended to me during the session, as your presiding officer. I assure you I appreciate the kindly feelings expressed in your resolution of last Thursday, and your generous expression will be one of the pleasant recollections of my life. I thank you one and all.

The hour of 12 o'clock M. having arrived, the President declared the Senate adjourned *sine die*.

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ERRATA.

On page 3, "Healey" should be "Healy."

On page 4, in the word "district," the first "i" is silent.

On pages 5 and 6, "Healey" should be "Healy."

On page 6, "Druett" should be "Druet."

On pages 15, 38 and 60, "Healey" should be "Healy."

On page 135, "manufacturers" has an extra "t."

On page 223, "G. S. Gilbertson, chairman," reads "G. S. Gilrertson."

On page 267, "Healey" should be "Healy."

On page 268, after the words "the nays were," the word "none" is superfluous.

On page 271, after the words "to inform the honorable," in message from Governor, the word "the" is superfluous.

On page 271, the letters "fol" should be added to "lowing" on first line of said page.

On page 284, in the third line from the top of said page, after the word "superior," the word "courts" should be inserted in lieu of the word "judges."

On page 348, at the bottom of page, the words "for an act to provide" are superfluous and should be stricken.

On page 365, petition presented by Senator Hotchkiss should read in favor of "resubmission" in lieu of "submission."

On page 546, in section 1 of bill, should read "to prevent such weeds" in lieu of "to prevent such woods."

On page 549, the word "the" before Senate, in message from the Governor, is superfluous.

On page 569, "G. S. Gilberton" should read "G. S. Gilbertson."

On page 895, report of Sifting Committee is duplicated, and the latter should be stricken.

